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Speaker Redmond: "House will come to order. Members please be in their seats. We'll be lead in prayer by Father Krueger, the House Chaplain."

Krueger: "In the Name of the Father, the Son, and the Holy Ghost... Amen. O Lord, bless this House to Thy service this day. Amen. George R. Kirkpatrick observed:

Nature gave to man two ends--  
one to sit on and one to think with.  
Ever since then, man's success or failure  
has been dependent upon the one he used the most.

Let us pray. ALMIGHTY GOD, we give thanks to Thee for all the many blessings which Thou in Thy infinite wisdom hast bestowed upon us, and for the direction that we must use Thy precious gifts for the achievement of a better life and greater harmony for all Thy creation. Do Thou, O Lord, continually inspire us that we may aspire only to discharge our duties as Members of this House of Representatives to the redress of social and economic ills and the betterment of the general welfare of the peoples of the State of Illinois; through Jesus Christ, our Lord. Amen."

Speaker Redmond: "Pledge of Allegiance. Representative Ropp."

Ropp: "I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, indivisible, under... with Liberty and Justice for All. Sorry."

Speaker Redmond: "Mr. Clerk. Senate Bills, First Reading."

Clerk O'Brien: "Senate Bill 388, a Bill for an Act to Amend Sections of the Illinois Controlled Substance Act. First Reading of the Bill, the Sponsor is Capuzi..."

Speaker Redmond: "House Bills, Second Reading, Short Debate. Page two. 11."

Clerk O'Brien: "House Bill 11, ...."

Speaker Redmond: "We're on 11. Is there any Amendment from the floor?.... Out of the record. Representative Daniels."

Daniels: "I would agree with taking it out of the record on the



basis of the slight attendance here. We had some problem yesterday for the very same reason. I hope we can get back to that though because there was some..."

Speaker Redmond: "We'll try to get back to it."

Daniels: "Otherwise, I would.... you know, otherwise I want to move it to Third, but..."

Speaker Redmond: "Are there any Amendments on it?"

Daniels : "Well, I have an Amendment pending but it was at such debate that I'm holding..."

Speaker Redmond: "Oh, ok. We'll get back to it."

Daniels: "Thank you."

Speaker Redmond: "1064."

Clerk O'Brien: "House Bill 1064, a Bill for an Act to Amend Sections of an Act relating to control location fencing, acquisition of junk yards and scrap processing facilities. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 1136."

Clerk O'Brien: "House Bill 1136, a Bill for an Act to Amend Sections of the Revenue Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Redmond: "Any motions with respect to Amendment 1?"

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Any Amendment from the floor?"

Clerk O'Brien: "Floor Amendment #2, Skinner, .."

Speaker Redmond: "Is Skinner here? Out of the record. The Sponsor's not here. 1426.... Oh, wait a minute. I know where he is. 1426."

Clerk O'Brien: "House Bill 1426, a Bill for an Act to Amend the Illinois Income Tax Act..."

Speaker Redmond: "Out of the record. 1622."

Clerk O'Brien: "House Bill 1622, a Bill for an Act relating to the prevention of duplication of inspections and investigations of nursing homes by certain state agencies."



Second Reading of the Bill, Amendment #1, was adopted, in Committee."

Speaker Redmond: "Any motion with respect to 1?"

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Any Amendment from the floor? Has the Fiscal Note been furnished on this?"

Clerk O'Brien: "Fiscal Note has not been filed."

Speaker Redmond: "Out of the record. 1801."

Clerk O'Brien: "House Bill 1801,..."

Speaker Redmond: "Out of the record. 2211."

Clerk O'Brien: "House Bill 2211, a Bill for an Act to Amend Sections of the School Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Redmond: "Any motion with respect to Amendment 1?"

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Any Amendment from the floor?"

Clerk O'Brien: "Floor Amendment #2, Schneider, ..."

Speaker Redmond: "Representative Schneider on the floor? Out of the record. 2351."

Clerk O'Brien: "House Bill 2351, a Bill for an Act to Amend Sections of the Illinois Administrative Procedure Act. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #1, Ewing, .."

Speaker Redmond: "Is Representative Ewing on the floor? Guess not. Out of the record. 2555. Out of the record... House Bills, Second Reading. Page 2. House Bill 100."

Clerk O'Brien: "House Bill 100, Daniels-Marovitz, a Bill for an Act to Amend Sections of the Consumer Fraud and Deceptive Business Practice Act. Second Reading of the Bill. Amendment number 1 was adopted in Committee."

Speaker Redmond: "Any motions with respect to Amendment 1?"

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Representative Giorgi, for what purpose do you rise?"



Giorgi: "Mr. Speaker, can this be taken out of the record? We have an Amendment for it and the Sponsor isn't here."

Speaker Redmond: "Representative Daniels."

Daniels: "Well, we're faced with the same problem again. House Bill 11 was taken out of the record cause the Sponsor isn't here; We don't have enough attendance. House Bill 11, now... 100 is now being requested to take out of the record. I don't know what.... I want to move the Bill to Third..."

Speaker Redmond: "Who's the Sponsor of the proposed Amendment?"

Daniels: "Representative Getty."

Speaker Redmond: "Representative Getty?"

Giorgi: "Well, he could move it to Third if he'd agree to bring it back to Second... no?"

Speaker Redmond: "That really doesn't solve anything.. I think that... is the Amendment here? I would be inclined to proceed Representative Daniels but a Quorum Call would bring us to a halt anyway so..."

Daniels: "Well, as long as we can..."

Speaker Redmond: "We'll get back to it, but I'll caution the Sponsors of Amendments that I'm not going to continue to hold Bills on Second Reading against the wishes of the Sponsor. You should be ready with your Amendments and ready to proceed. Take 100 out of the record. 226."

Clerk O'Brien: "House Bill 226, Harris-Rea-Richmond-Winchester, a Bill for an Act to Amend Sections of the Environmental Protection Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Redmond: "Any motion with respect to Amendment 1?"

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Any Amendment from the floor?"

Clerk O'Brien: "Floor Amendment #2, Harris, ..."

Speaker Redmond: "Is Representative Harris here? Evidently not. Representative Rea, do you know what.... Representative Rea?"



Rea: "Can we hold House Bill 226 and then come back to it?"

Speaker Redmond: "Ok. Out of the record. 434."

Clerk O'Brien: "House Bill 434, a Bill for an Act to Amend Sections of the Illinois Vehicle Code...."

Speaker Redmond: "Fiscal Note has been requested and not filed. Roll Call for attendance. This is the one on which we'll paid the per diem... Everybody on the Roll Call that's here? Only vote your own switch now. I think we better clear this one. Only vote your own switch. Roll Call for attendance. Your own switch only... Roll Call ... turn it on... Only your own switch.. I guess you don't hear very well. Your own switch only... Roll Call for attendance. Roll Call for attendance. Everybody on there? Everybody on? Representative Matijevich."

Matijevich: "Mr. Speaker, I... you were sitting next to me and you and I were getting along so good and then you popped the idea that we may work Saturday; I didn't have the heart to tell you what was on my mind. But if we work Saturday, these are the people that will be there Saturday and we are the ones that are going to be punished because the others who aren't here.... aren't working right now. And I just wanted to tell you, 'How can we work Saturday when we didn't work Monday?' And it wasn't our fault that we didn't work Monday. Somebody else made that decision. And I'd like to be here Monday, but I sure don't want to work Saturday cause some others aren't doing their work when they should be here."

Speaker Redmond: "I agree with you. If we get here when we're supposed to get here there'd be no need to have any of these long hours but I have no idea where they are.. When they used to stay in 3 hotels we could find them, but they're dispersed. Take the record. This is the one that's per diem... That's what we got. 434. Wait a minute. Is that... that's out of the record. 548. Representative Friedrich."



Friedrich: "Mr. Speaker, I just wanted to say maybe the reason they're not here is they remember Firday when we came at 12:30 and went to work at 6:00."

Speaker Redmond: "You're probably right. 548."

Clerk O'Brien: "House Bill 548, a Bill for an Act abolishing ad valorem personal property tax and replace as revenue lost with new taxes. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Redmond: "Any motion with respect to Amendment 1?"

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Any Amendmant from the floor?"

Clerk O'Brien: "Floor Amendment #2, Schneider, ..."

Speaker Redmond: "Is the Sponsor of the Amendment here? Representative Mugalian."

Mugalian: "Thank you, Mr. Speaker. Representative Schneider I think is on his way over, but he told me previously that he would ask to have Amendment 2 withdrawn."

Speaker Redmond: "Well... are you withdrawing it for Representative Schneider?"

Mugalian: "I'm sure I have his authority but I also am saying very definitely that he intends to withdraw it and will, and would if he were here."

Speaker Redmond: "Ok. Amendment 2 will be withdrawn... Any further Amendments?"

Clerk O'Brien: "Amendment #3, Mugalian, Amends House Bill 84.. or 548 as Amended in Section 2 and so forth."

Speaker Redmond: "Representative Mugalian..."

Mugalian: "Thank you, Mr. Speaker. This makes as change in House Bill 548 in this respect; the Bill in its original form provides that all equipment and machinery that has been classified as real property would upon the effective date of this Bill if enacted, would become classified as personal property. This Amendment would eliminate that feature of that Bill so that whether property is classified or assessed as real property or personal property, would



depend on decisions within the local taxine district. And I move for its adoption."

Speaker Redmond: "Representative Mugalian in the absence of the Sponsor of this Bill I hesitate to proceed on the..."

Mugalian: "I've discussed this with the .. Chairman Pierce.

He has no objection to this Amendmant. I'd like to put it in the posture that I think the Bill ought to be. I'm Chairman on the Subcommittee on personal property tax of the House Revenue Committee."

Speaker Redmond: "Well, Representative Ewing."

Ewing: "Mr. Speaker, as the Minority Spokesman on that Committee

I don't think we could... should lightly come on here and adopt this type of Amendment. If you listen to the far reaching effect of this Amendment we can turn around and we can put an extra tax on business to replace the personal property tax and if I understand the Sponsor, we could then also tax business for their personal property by including at least a major part of it as real estate. This is a Committee Bill and the Chairman isn't here. This wasn't decided upon in Committee and I think that we need either full debate on the Amendment or we should really hold it until the Committee Chairman ..."

Speaker Redmond: "I think so too. I hesitate to proceed without the Chairman....."

Ewing: "If I may just make one comment, not about this directly.

I expect that if we're in session on Saturday and if we have this kind of turn out, we'll have the same kind of fate for all these Bills."

Speaker Redmond: "582.."

Clerk O'Brien: "House Bill 582, a Bill for an Act to Amend Sections of the Code of Criminal Proce Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #1, Davis, Amends House Bill 582 by deleting all of Section 114-5 and so forth."



Speaker Redmond: "Representative Davis. Representative ... you look kind of mystified."

Davis: "Well, Mr. Speaker, this is on the Priority of Call. Are we on that order of business now?"

Speaker Redmond: " We're on House Bills, Second Reading and we're going right down, starting at 100 and going right through in numerical sequence."

Davis: "Well, I was looking at the Priority of Call, which this Bill is quite late on, Priority of Call. On the Calendar or on Second Reading, Priority of Call?"

Speaker Redmond: "On page 2... 582."

Davis: "Well, I'm prepared to go with Amendment #1, Mr. Speaker, however, I'm a little bit confused. I think there are other Amendments filed... that the Sponsor's are not on the floor and I understand what you're doing with the Calendar, but I was under the impression we would be on Second Reading, Priority of Call today."

Speaker Redmond: "The problem is that when you have Second Reading, Priority of Call, it poses a terrible problem on the Clerk to try and find the Amendments in sequence and so forth."

Davis: "I understand. Well, in that case, Mr. Speaker, Amendment #1 to House Bill 582 will become the Bill. Now this Bill was discharged from Committee last Friday night, the Judiciary II Committee, because it didn't have an opportunity to have a vote taken after extensive work in Subcommittee on the Amendment that is offered as Amendment #1 which will now become the Bill. Amendment #1 simply does three things. Amendment #1 would cut the number of preemptory challenges for substitution of judge from 2 to 1, would add into that Section that prejudice against the defendant or his attorney would be cause for a preemptory challenge or challenge for cause. It is consistent in Section 2 with the Section for multiple defendants to cut that preemptory challenge to 1 and expands the Section



on cause for challenging cause to an exparte third hearing by a judge not named in the motion and also allows that challenge for cause to be included for prejudice against an attorney. I think it's a very good Amendment. It's something that's been needed for a long time, in down-state particularly, and should help to discourage the practice that is thought to be... rather ripe in some areas of 'judge shopping' and that it would attempt to address the somewhat lack luster effect that the general population of Illinois feels for the Judiciary. I think that the testimony was extensive in Subcommittee on this particular issue and it's a very good Amendment which will now become the Bill and I solicit your support."

Speaker Redmond: "Representative Stearney."

Stearney: "Will the Gentleman yield?"

Speaker Redmond: "He will."

Stearney: "You indicate that you didn't call this Bill in Committee, is that right?"

Davis: "That's right. Oh, no. What? I beg your pardon. What was the question?"

Stearney: "Well, you mentioned earlier that in your motion to discharge you did so because you didn't get a hearing in Committee."

Davis: "No, I mentioned that the Subcommittee adopted the report... or adopted the Bill and the Amendment... it was not put on in Subcommittee. It was Subcommittee that worked four or five weeks on this Bill and language... unanimously accepted the language of this Amendment. And then when the Bill went on the last day of Committee hearings, went to the Committee, there was not a Quorum and the Committee..."

Stearney: "Wait one moment. Is it not true that I asked you if you wanted to call the Bill and there was a Quorum at that time?"

Davis: "There was not a Quorum at that time..."

Stearney: "... Nevertheless, you refused to call it?"



Davis: "Representative Stearney, we're not... the motion for discharge..."

Stearney: "Well, let me ask a question on the Bill itself. The only real change that you're making in this Bill is by reducing the number of Judges that one may petition for substitution for, from 2 to 1. Is that not right?"

Davis: "And expanding the Section for cause to make it a much more effective Section for..."

Stearney: "Well, the clause Section I believe is present law now. You're just codifying that."

Davis: "Well, what we're doing is changing the cause Section... The cause Section now... challenge for cause... the motion is heard in front of the same Judge that's being questioned on prejudice. What we're doing in the Section for cause is making an ex parte hearing by a Judge not named in the motion, which I think is very good for the defense... for the defendant and his attorney."

Stearney: "Well, let's not worry about the defendant, but the question is... there's no real problem in this state regarding the present state of the law, that is for the substitution of a Judge, naming two Judges in his motion, is there?"

Davis: "I'm sorry, Representative Stearney, I didn't hear that."

Stearney: "Well, let me rephrase it. In view of the fact that we have the death penalty in the State of Illinois, don't you think it's fair to allow an individual defendant to name two Judges in his petition, considering the fact that he may be facing the electric chair? That there are Judges in this state that are so prejudice against a defendant that he couldn't get a fair trial?"

Davis: "No, I don't think so at all, Representative Stearney, because we're leaving in one preemptory challenge and it's an attempt, of course, to close the wide latitude that now exists and necessarily so because Judges are human, to close that wide latitude..... let me finish, and address your



situation... That if prejudice does exist along those lines, and in an extreme analogy that you make, he still has one preemptory challenge and it's not satisfied with that preemptory, can then go into the Section on cause and have that... have that motion heard for substitution for cause by a Judge not named in the motion. So I think all the adequate safeguards are there, Representative."

Stearney: "... but the present system is working in this state where an individual may name two Judges. There is no real pressing problem to change the present system, is there?"

Davis: "Well, Representative Stearney, of course, that's the point on which we disagree. I do not believe that system is working in the state; I believe it's working in a sporting sort of theory and is an pervasive attitude that the defendant should have preference of Judge, rather than prejudice. And I think that's the cornerstone of the argument that I make for this very good Bill."

Stearney: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, in addressing myself to this particular Amendment, there's no real need to change the present Criminal Statutes in this particular matter. We have the individual proponent here seeking change just for the purpose of obtaining change. But right now an individual in this state, assuming he's charged with a heinous crime and he's facing the death penalty, the present system is working where he may name two Judges in his petition for substitution. He can at least obtain a modicum of fairness. The system is working. There's no real reason to change it. I ask... I think that this Amendment should be defeated. The Bill itself can be voted on at a later date, but not adopt this Amendment. I urge a 'no' vote on this matter."

Speaker Redmond: "Anything further? Representative Getty."

Getty: "Well, Mr. Speaker, Members of the House, Representative Piel, I'm sorry... Representative Davis is absolutely right. He was before the Subcommittee on, I think, 4 or 5



different occasions and the Subcommittee in a compromise suggested what he has now introduced as Amendment #1 to House Bill 582. This was a compromise and I'd like to point out that really in Cook County the naming of two Judges is not a problem to us, because we have many Judges that we can still refer the case to. These are preemptory challenges, challenges that can be made naming a Judge without basing it on any real cause, just a preemptory challenge. In down-state however, they have a problem. And I'd like to point out to you for example, in the Pontiac case involving the death of three prisons guards there are many people under inditement for that offense. Now, each one of them, under the law today, can name so many Judges that it puts it right out of the county. Taking an even more modest case where there are two or three codefendants, in many of the down-state jurisdictions the result of being able to name two Judges preemptorily does cause a real problem. Now, what Representative Davis has agreed to do and what I think is a very meaningful step... a very progressive step in this Amendment is to provide that where indeed council alledges that the court is indeed prejudice, that that same Judge, who you alledge is prejudice would no longer make the decision as to the prejudice. It would go to another sitting Judge who would determine whether or not a prejudice is shown. Now, I think that that is a meaningful type of substitution of Judges and I think that in this way we can address a problem of the down-state counties in having sufficient number of Judge and I would join Representative Davis in moving for the adoption of this Amendment."

Speaker Redmond: "Representative Borchers."

Borchers: "Mr. Speaker, fellow Members of the House, I was confronted with this very same problem and I feel that this Amendment should be defeated. I don't want to go into it all of it again because I've already covered this once or twice



before in the House, but I feel that this Amendment should be defeated because of my own experiences in the courts."

Speaker Redmond: "Representative Piel."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House.

As the Chief Sponsor on this Bill I am in complete concurrence with the Amendment and I would ask for the adoption of the Amendment."

Speaker Redmond: "Anything further? Representative Breslin."

Breslin: "I move the previous question, Mr. Speaker."

Speaker Redmond: "The Gentleman... the Lady has moved the previous question. The question is, 'Shall the main question be put?' Those in favor say 'aye', 'aye'; opposed 'no'. The 'ayes' have it. The motion carries. Representative Davis to close."

Davis: "Well, thank you, Mr. Speaker, I just might remind the Body that a similar... a similar Bill has passed the Senate is now pending before the House to limit preemptory challenges but does not include the very good Section for cause that Representative Getty so well articulated that embodied in Amendment #1. If this Amendment fails, 582 would revert back to its original Bill which would eliminate all preemptory challenges from Section 114 of the ... of the code now. So I suggest to you that it's a very good Amendment and is going to make a very good Bill after this Amendment is adopted. And simply because nobody is attempting to tamper with defendant rights here. In fact, I view this is in its present posture as a defendant's Bill because we add in the rights to prejudice... or cause..... prejudice for cause for the attorney as well in the cause Section. And it occurs to me that the down-state problem that we so well voiced by Representative Getty is certainly operating and creates a great problem for us with two preemptories in the down-state circuits where fewer Circuit Judges are available to try felony cases.



And I also believe that preference should not be, in any District, preference of a Judge should not be the case. It should be a question of prejudice and not preference. After all a Judge is not a juror; A Judge is a Judge and preference should not be allowed to anybody on that basis of simple preference. So I would move that this Amendment be adopted in hopes that you can make this House Bill 582 a very good Bill by the adoption on this Amendment."

Speaker Redmond: "Question's on the Gentleman's motion for the adoption of the Amendment. Those in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? The Clerk will take the record. On this question there's 57 'aye' and 30 'no'. The motion carries. The Amendment's adopted. Any further amendments?"

Clerk O'Brien: " Amendment #2, Bradley-Getty, Amends House Bill 582 as Amended in Section XIV-5 and so forth."

Speaker Redmond: "Representative Getty."

Getty: "Mr. Speaker, Representative Bradley is the principle Sponsor of this. However, I understand that he's not on the floor at this time. I'd ask leave to...."

Speaker Redmond: "You're a hyphenated Sponsor of it, so I guess that means you can.."

Getty: "Very good."

Speaker Redmond: "... you can move it."

Getty: "Mr. Speaker, what this would do would bring about an equality in the motion for substitution of Judges. Currently the law provides that two Judges maybe as it were, preemptorily challenged, if Representative Davis's Amendment becomes law it would of course be reduced to one. This would give exactly the same right to the State's Attorney. Very often the State's Attorney feels just as the defense lawyer feels, that the particular Judge for one reason or another, is not the appropriate forum in which a case should be tried. So this would extend to your State's Attorney the same privilege of making that challenge



to the Judge. I would move for the adoption of the Amendment."

Speaker Redmond: "Any discussion? Representative Stearney."

Stearney: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I rise in opposition to this Amendment. I do so for the reason that we're not talking about equality here. Remember, the State is not on trial; It is the individual defendant who is on trial for his own liberty. So the question of equality for the State and the defendant should not be of any importance here. Remember, if an individual defendant is charged with a crime he's assigned to a particular trial Judge. If he believes that that Judge is partial to the State he should be allowed the right for substitution. The State should not be given the also the right to take it out, the case away from a particular Judge because they do not feel that that Judge isn't state minded enough. Now I think we're wrapped in this fit, this paranoia of law and order, this media of law and order, and it always becomes a question of 'them', that if you ways think it's going to be that poor little kid on 63rd and Cottage Grove that's going to be the defendant, so hell let him get it. Who cares about him? As I said three and four years ago, today it is them, tomorrow it may very well be you, you a Member of your family and always remember when you're creating a statute here in the State of Illinois it affects 11,000,000 people along with you, you are not exculpated from its effect. And you too, and Members of this General Assembly have been, have been faced with this very serious situation. And I think we should consider it. Your Member of your family, a close relative, a friend will come in and they'll say, 'What has been done here?' And then you'll sit back and wonder what you've done. What we're doing here is wrong. The State has the burden of proof, proving an individual guilty beyond a reasonable doubt. They are not to be given fairness.



They are not to be given the same rights as the individual who's on trial for his very liberty. If they do not believe a Judge is state-minded enough, so be it. The burden is on them to prove the individual guilty. This Amendment above all should be defeated. It is heinous. I urge your opposition. Thank you."

Speaker Redmond: "Representative Greiman."

Greiman: "Thank you Mr. Speaker. And I would agree with the previous Speaker. If I understand this correctly, we would find ourselves giving a weapon to a prosecutor to continually take cases away from a Judge, perhaps because that Judge upholds the law, perhaps because that Judge gives a fair trial but may be in the minds of the prosecutor, he's defense minded. And what we would have then is that Judge reading about case after case taken away from his court and he would then say to himself, 'I'd better hang a few, I'd better hang a few.' It would have a chilling effect on a Judiciary. I think that there has to be a balance between the prosecutor's rights and the rights of the... of the Judge to make a fair and impartial judgement and to assess guilt in a fair way, without newspapers, without calling him a cream puff, or without calling him a hanging Judge either. And this Bill; add this Amendment, absolutely would give the prosecutor the power to instill fear in the minds of a Judge. And it should be... as Mr. Stearney said so eloquently, it should be roundly defeated."

Speaker Redmond: "Representative Davis."

Davis: "Well thank you, Mr. Speaker. I've given a great deal of thought to this subject and a great deal of my time has been devoted to this and I was told this Amendment was going to be offered to the Bill and I have approved of the Amendment. I think the Amendment is a very good Amendment because in addressing the remarks to the two prior Speakers, what it seeks to do of course is to once again restore some, a narrowing of the wide latitude that now exists in the



Criminal Code for the Jurist and I think because of that, is going to put a lot more creditability back into that particular profession which is somewhat impained in the minds of the people of the State of Illinois and the very Speaker who spoke in opposition did say and kept saying the State this and the State that, and the State. We're not talking about the State in this Amendment; We're talking about the people of Illinois as represented by the State. I think it's a very good Amendment. I realize that the burden of proof is always upon the people of Illinois to prove some thing beyond a reasonable doubt and I see that with that latitude that now exists, that this is a very reasonable Amendment and should be added into the Bill."

Speaker Redmond: "Representative Ewell."

Ewell: "Mr. Speaker, Ladies and Gentlemen, this Amendment is indeed diabolicl. I'm tired of hearing this situation about the Sponsor's Bill and what the Sponsor approves of because in the final analysis it's not the Sponsor who's going on trial, it is us, the people of the State of Illinois. This Bill will bind all of us. This Amendment is indeed heinous it is so simply because the common law has tried to strike balances between the defendant and the State's Attorney. Now, for those who are unaware of what these balances are the State's Attorney has a very large staff. He has assistants, he has investigators; they have the entire police Department and all of its facilities, many of the other local agencies to help a trial against a particular defendant. This is one of the balances against the defendant and defendants have had to accept this burden. The other burden is that it's the State's obligation to prove the defendant guilty beyond a reasonable doubt. But in addition to that, we're talking about a defendant who is on trial for his freedom. If the defendant loses the case he goes to jail. If a State's Attorney loses the case, it's another case. That is a vast difference. The



State might well argue, if a Judge is bias let them bring their case set-out the record and ask to have the Judge removed for cause. That would be the proper approach. But to allow the State, who brings the defendant into this forum to then ask for a change of venue is indeed unreasonable unjust and inequitable. If the defendant were bringing the State into court, them surely the State should have the right to change of venue. But that is not the case. The defendant in brought there against his will by the State who says that, ' We want to give you 'a fair and impartial trial''. The State's Attorney has the obligation of defending the rights of the defendant, but they seldom do. The burden is always upon the lone defender, who's client generally is without money, without resources. He has no investigative staff, has no ability to go out and secure the witnessess simply becuase he cannot meet the necessary expenses. And against this you have the awesome might of the State and now the State cries for one more advantage against the lone defender. It is easy as we sit here today, unindited, to say that these things aren't necessary, but I tell you after we pass these bar cannons, everybody out here is going to be screaming about my day in court. And if you want to hear the lawyers holler then, then you'll really hear them. We're talking about the civil lawyers. As a defense lawyer, you have never faced the awesome burden against the awesome might of the State. I tell you, their staffs, the unlimited expenditures, surely tilt the scale in favor of the State and now they ask for the final coup. They say, ' We want to bring you to court, not just a fair and equitable court, but we want to choose it.' That is unreasonable. Ladies and Gentlemen , you are casting away your right not your rights, but the rights of the citizens of the State, if you vote for this Amendment. It's a bad Amendment and it deserves to be defeated."



Speaker Redmond: "Representative Macdonald."

Macdonald: "Thank you. I'd like to ask the Sponsor a question please."

Speaker Redmond: "Proceed. Representative Getty?"

Macdonald: "Yes, I'd like to ask whether or not when this Bill was heard in Committee and on this Amendment if it was brought up, what about the Constitutionality.. what are the aspects Constitutionally of this particular Amendment?"

Getty: "Well, I don't .... I don't believe there's any question but that there's no Constitutional problem here. This merely says the State's Attorney can ask for a substitution of Judge. That's all this Amendment does, same as the defense council can. So what it seeks to do is put them in parody. There would be, for example, on 'no'.... the State's Attorneys have supported in the past this type of legislation and also legislation that would permit a jury trial. The States Attorneys feel that they are entitled to a fair trial and for all those reasons that a defendant might want to substitute Judges, or might want to ask for a jury trial rather than to have the Court to the trier of fact, the State... the State's Attorneys feel that they should be allowed the same thing. Well, I don't feel that it's appropriate that the State should be permitted to ask for a jury trial. They do in Federal courts, but I don't think it's appropriate in Illinois. I do, however, think that it is appropriate to give the State's Attorneys the same right as defense council has in asking for a substitution of Judges so that if the defendant can ask for one Judge, substitution, the State ought to be able to ask for the same thing."

Macdonald: "Thank you."

Speaker Redmond: "Representative Kosinski."

Kosinski: "Mr. Speaker, and Ladies and Gentlemen of the House, let's cut through for the need. It's true in Cook County, and it must be true in other counties, that a defense ploy



is to ask for a change of venue to get a 'soft' Judge. Now, what we're really attempting to do in this Amendment is balance that situation, give the State the same right to get a Judge who is equitable and fair, not necessarily assigned to a soft Judge. This is a law and order measure, it's for the protection of the people of Illinois and I ask that we pass this Amendment."

Speaker Redmond: "Representative Katz."

Katz: "Mr. Speaker, and Ladies and Gentlemen of the House, we have heard here about some of the problems with regard to the Bill. We have heard that the Bill is directed at preventing Judge shopping. Now, there are some important differences with regard to the defendant and the role of the State in these cases. A defendant is an individual. He is one out of many persons in that community. However, the State's Attorney is in every case and what will take place is that you will not be engaging in stopping Judge shopping, you will be engaging in a system by which the State's Attorney can dictate the Judge in any county in the State. All he has to do is to let it be known that a particular Judge is an anathema to the State and that Judge will not be hearing cases any more. You will be in a situation where the State's Attorney of a county can dictate who the Judge of that county is who will be hearing the cases. The State will not only be prosecuting, the State will be selecting the Judge before whom all of the cases in that county will be heard. That is grossly unfair. The difference between the role of the State has been well explained by other Speakers, the fact that the State has unlimited facilities at its command, the fact that the State is in the role that it is accusing an individual but, the relative position of the State's Attorney as against a single defendant in that the single defendant is only involved in one case, whereas the State's Attorney is involved in every case in that county of criminal nature is



absolutely vital. In my view, this Bill would be worse.. worse than the Bill that the distinguished Gentleman , Mr. Cook.... from Cook County, Mr. Getty, mentioned involving a jury trial. I think that if the State could have a jury trial in every case, it would not be as coercive on the Judges of that county as this Bill with this Amendment it. It will tip the scale, it will result in not giving justice in our courts, I am afraid. I am as interested as the distinguished Vice Chairman of this Committee in seeing the criminal laws enforced but, our society is distinguished from other societies because we insist on fair trials, we say the State prosecutes but the State does not select the Judge. For that reason, I consider this Amendment bad and I would urge a 'no' vote."

Speaker Redmond: "Representative Breslin."

Breslin: "Mr. Speaker, I move the previous question."

Speaker Redmond: "Representative Breslin... The question... the Lady has moved the previous question. The question is, 'Shall the main question be put?' Those in favor indicate by saying 'aye', 'aye', opposed 'no'. The 'ayes' have it. Representative Getty to close."

Getty: "Mr. Speaker, Members of the House, I think that this has been thoroughly and fully debated. The proposition is very simple. If you support the concept of permitting your State's Attorney to be given the same privilege as the defense council is given to have as it were a preemptory challenge of a Judge to whom the case is assigned, vote 'aye'. If you don't believe that your State's Attorney should be able to challenge a particular Judge to whom the case was assigned, then vote 'no' on this Amendment. Glad to see Representative Bradley, the principle Sponser of this Amendment has just walked on the floor. I know he'll want to explain his position on this and I want to tell you that this is strongly supported by the State's Attorney Association. I ask for an affirmative Roll Call."



Speaker Redmond: "The question's on the Gentleman's motion for the adoption of Amendment 2. Those is favor vote 'aye'; opposed vote 'no'. Have all voted who wish? The Clerk will take the recrd. On this question there's 46 'aye', and 77 'no'. The motion fails. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. That makes the second one we've passed today. Representative Ryan. Welcome aboard."

Ryan: "Thank you, Mr. Speaker. Can you tell us, is it still your intention to keep the House in Session on Saturday morning?"

Speaker Redmond: "We don't know yet. If you'd been here at 9:30 we would have told you."

Ryan: "Well, I was here at 9:30, Mr. Speaker."

Speaker Redmond: "You weren't on the floor. Let me see the Roll Call."

Ryan: "When will you know, Mr. Speaker?"

Speaker Redmond: "Pretty soon.."

Ryan: "When's that?"

Speaker Redmond: "702, pretty soon."

Ryan: "Pretty soon. Thank you."

Clerk O'Brien: "House Bill 702, a Bill for an Act making appropriation of the Illinois Industrial Development authorities. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Redmond: "Any motions with respect to Amendment 1?"

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Any Amendment from the floor?"

Clerk O'Brien: "No Floor Amendment."

Speaker Redmond: "Third Reading. We'll go in the category of appropriations now. 999."

Clerk O'Brien: "House Bill 999, a Bill for an Act appropriating money for a grant to the Chicago Park District for a field house in Lindbloom Park. Second Reading of the Bill. No Committee Amendments."



Speaker Redmond: "Any Amendment from the floor?"

Clerk O'Brien: "Floor Amendment #1, J.J. Wolf, Amends House Bill 999 as Amended by deleting Section II and so forth."

Speaker Redmond: "Representative J.J. Wolf."

Wolf: "Yes, Mr. Speaker, Members of the House, the reason for this Amendment was of course to pinpoint the fact that we probably shouldn't be appropriating, not probably, we shouldn't to meet the appropriating general revenue funds to build Park District field houses and the Amendment was facetiously introduced in order to expedite the business of the House. I would ask leave to withdraw the Amendment."

Speaker Redmond: "The Gentleman withdraws the Amendment. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 1282."

Clerk O'Brien: "House Bill 1282, a Bill for an Act making appropriation to the Health and Hospitals GOVERNING Commission. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Redmond: "Any motions with respect to Amendments 1 and 2 on the record? The Republican Leadership desires this one out of the record. 1319."

Clerk O'Brien: "House Bill 1319, a Bill for an Act making appro--"

Speaker Redmond: "Go over and talk to Representative Ryan, Mr. Taylor. 1319."

Clerk O'Brien: "House Bill 1319, a Bill for an Act making appropriation to the Department of Public Aid. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Redmond: "Any motion with respect to Amendment 1?"

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Any Amendment from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Redmond: "Third Reading. 1583."

Clerk O'Brien: "House Bill 1583, a Bill for an Act appropriating



money to the Department of Local Government Affairs.

Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendment from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 1589."

Clerk O'Brien: "House Bill 1589, a Bill for an Act making appropriation for the Illinois Environmental Protection Agency.

Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendment from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 1595."

Clerk O'Brien: "House Bill 1595, a Bill for an Act making appropriation to the Department of Agriculture. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Redmond: "Any motions with respect to Amendment 1?"

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Any Amendment from the floor?"

Clerk O'Brien: "Floor Amendment #2, Neff, Amends House Bill 1595 as Amended on page one by deleting line 11 and inserting in lieu thereof the following. Section 2.

Speaker Redmond: "Representative Neff."

Neff: "Mr. Speaker, Amendment #2 is just a technical Amendment change the name from McDonough County 4-H building ... buildings and grounds to the ... from the McDonough County fair grounds to the McDonough County 4-H building grounds. This is a technical area in the original Bill."

Speaker Redmond: "The Gentleman has moved the adoption of Amendment 2. Those in favor say 'aye', 'aye'; opposed 'no'. The 'ayes' have it. The motion carries. The Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 1644. Out of the record. Representative Peters is not on the floor. 1648."

Clerk O'Brien: "House Bill 1648, a Bill for an Act making appropriation to the ordinary and contingent expense of the



Emergency Service and Disaster Agency. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Redmond: "Any motion with respect to Amendment 1?"

Clerk O'Brien: "A motion to table Amendment #1 by Representative Mahar."

Speaker Redmond: "Representative Mahar on the motion."

Mahar: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. The motion to table Amendment #1 is... the amount of the Amendment is \$4,125 which \$2,000 is general revenue fund money. I think that the agency needs this money for travel based upon the tremendous problem they had last winter and I think that the money should be restored and I would urge that the motion prevail. Mr. Speaker, I think Mr. Van Dwyne's motion... if you'll recall we took this out of the record the other day. I would like to move the Bill. I think that..."

Speaker Redmond: "Who's motion is this for the adoption of 1?"

Mahar: "Representative.... It's my motion... it was Van Dwyne's motion to adopt it...."

Speaker Redmond: "Is this your motion, Amendment 1 is your motion to table?"

Mahar: "Amendment #1 was Representative Van Dwyne's in Committee and I am moving to table that motion."

Speaker Redmond: "Ok. The question's on Representative Mahar's motion to table Amendment 1. Those in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? Clerk will take the record. On this question there's 90 'aye' and 13 'no' and the motion fails. Amendment 1 is tabled... Motion carries. Amendment 1 is tabled. Any Amendments from the floor?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 1657."

Clerk O'Brien: "House Bill 1657, a Bill for an Act to provide for the ordinary and contingent expense of the Department



of Conservation. Second Reading of the Bill. Amendments #1,2,3,4,5,7, & 8 were adopted in Committee."

Speaker Redmond: "Any motion with respect to Amendments... any Committee Amendments?"

Clerk O'Brien: "A motion to table Committee Amendment #2 by Representative Hoxsey."

Speaker Redmond: "Representative Hoxsey."

Hoxsey: "Amendment #2... just a minute.... Amendment #2... the motion to table Amendment #2 requires the Department of Conservation to submit consultant contracts proposals to the Chairman and Spokesman of the Appropriation Committee, no dollar change."

Speaker Redmond: "Representative Matijeich."

Matijeich: "I wonder if she'd take this Bill out of the record. We had.. we were understood, both myself and the minority Spokeman that this Committee Amendment was going to stay on. I'd appreciate it if she'd take it out of the record and we'll talk about this. What's that?"

Speaker Redmond: "I think we better take it out of the record."

Matijeich: "... got a motion to table it.."

Speaker Redmond: "Better take this Bill out of the record. 1730 Representative Stearney, for what purpose do you rise?"

Stearney: "Well, did you skip 1694?"

Speaker Redmond: "Yeah, it's not an appropriation Bill. The appropriation Bills are in the heavy type."

Stearney: "Oh, you went to the order of appropriation Bills now."

Speaker Redmond: "Yeah."

Stearney: "Thank you."

Speaker Redmond; "1730."

Clerk O'Brien: "House Bill 1730, a Bill for an Act making appropriation to the Department of Transportation. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 1853."



Clerk O'Brien: "House Bill 1853, a Bill for an Act making appropriation to the Secretary of State. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 1902."

Clerk O'Brien: "House Bill 1902, a Bill for an Act making appropriation to the Department of Public Health. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 1925."

Clerk O'Brien: "House Bill 1925, a Bill for an Act making appropriation to the State Fire Marshal. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #1, Younge, Amends House Bill 1925 on page one, line four by deleting \$25,000 and inserting in lieu thereof \$25,000."

Speaker Redmond: "Representative Younge."

Younge: "Mr. Speaker, that was a technical error and the purpose of the Amendment is to correct the error and make that 25,000."

Speaker Redmond: "Ok. The question's on the Lady's motion for the adoption of Amendment 1. Those in favor say 'aye', 'aye', opposed 'no'. The 'ayes' have it. Motion carries, the Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 2004. Representative Matijevich, is that one ready? Out of the record. 2011."

Clerk O'Brien: "House Bill 2011, a Bill for an Act making appropriation for the Work Study Program for high school students living in an area of high unemployment. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendment from the floor?"



Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 2035."

Clerk O'Brien: "House Bill 2035, a Bill for an Act making appropriation to the Department of Transportation. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 2083."

Clerk O'Brien: "House Bill 2083, a Bill for an Act making appropriation to the Illinois State Scholarship Commission. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 2088."

Clerk O'Brien: "House Bill 2088, a Bill for an Act making appropriation to the Board of Governors of State Colleges and Universities. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendment from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 2090."

Clerk O'Brien: "House Bill 2090, a Bill for an Act making appropriation to the Capital Development Board. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 2098."

Clerk O'Brien: "House Bill 2098, a Bill for an Act to provide for the ordinary and contingent expense of the Department of Mental Health and Developmental Disabilities. Second Reading of the Bill. Amendments #1,2,3,4,5,&6 were adopted in Committee."

Speaker Redmond: "Any motions with respect to Committee Amendments?"

Clerk O'Brien: "No motions . . . an Amendment . . . motion to table Amendment #2, by Representative Kempiners."



Speaker Redmond: "Representative Kempiners, on the motion."

Kempiners: "Yes, Mr. Speaker. Amendment #2 is the only Amendment added in Committee that I have a motion on which to table. The Amendment reduces the central office operations so that we have a six month appropriation Bill. It was introduced and passed by the Committee because of problems that we had in getting information from the Department. We have found... or had nothing but cooperation from the Department since the time this Amendment was added and I feel it would serve no purpose to leave this Amendment in the budget and create extra work for the Committee when we come back into session in the fall. So therefore, I have filed the motion to table."

Speaker Redmond: "Is there any discussion? Question.... Representative McBroom."

McBroom: "Well, Mr. Speaker, Members of the House, I discussed this with Representative Vinson and I thought your understanding with him that any discussion on this was when he was going to be on the floor, Representative Kempiners."

Kempiners: "I made no commitment to hold this. I indicated to him yesterday that we would have this motion to table his Amendment and that was the extent of the discussion."

McBroom: "Well, Representative Vinson is not on the floor and I know he's vitally interested in this matter. I would suggest we hold in the bay it's out of courtesy to Representative Vinson."

Speaker Redmond: "Representative Kempiners."

Kempiners: "If there's insistence that I hold it, I'll hold it."

Speaker Redmond: "Question's on the Gentleman's motion to table Amendment #2. Those is favor say 'aye', 'aye', opposed.. Wait a minute.. wait a minute... wait a minute. Consternation over there. Representative Kempiners."

Kempiners: "I indicated that if the Gentleman wants me to hold it, I will hold it until Representative Vinson gets on the floor, but I would hope that we would get back to this."



It's got a long way to go in the legislative process and I wouldn't want to hold it up too long."

Speaker Redmond: "Hope lives eternal in the human breast. 2201. Representative Barnes."

Barnes: "Thank you, Mr. Speaker. I would like before we go to another one, I would like to request of the Chair and the Gentleman that requests a hold that we would like to proceed along on these Bills, especially this one that has a number of Amendments. Would we have an opportunity to come back to this Bill sometime today?"

Speaker Redmond: "Well, I can't promise today. You know, I'll do the best I can. We have 51 Bills where there have been requests to return them from Third Reading to Second for the purpose of Amendments. The attendance in the morning is absolutely lousy. I don't know. Now they tell us that there's no room in the inn Friday night. I just don't know how in the world I can promise anything except do the best I can."

Barnes: "I concur with you, Mr. Speaker, and this is one of the Bills that numerous Amendments have been filed to and that's why we're trying to get it moved along so that it doesn't tap the process."

Speaker Redmond: "I'll do the best I can. Let's put it that way."

Barnes: "Thank you."

Speaker Redmond: "2201."

Clerk O'Brien: "House Bill 2201, a Bill for an Act making appropriation for the State Board of Education. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #1 failed in Committee. Floor Amendment #2, Peters, Amends House Bill 2201 as Amended on page one and so forth."

Speaker Redmond: "Representative Peters on the floor? Who's



the Sponsor of this Bill now? Representative McClain on the floor? McClain? McClain on the floor? Representative Brady here? What happened to Brady? Out of the record. Clang clang clang went the trolley. 2202."

Clerk O'Brien: "House Bill 2282, a Bill for an Act making appropriation to the Comptroller's. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendment from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 2427."

Clerk O'Brien: "House Bill 2427, a Bill for an Act making appropriation to the Capital Development Board. Second Reading of the Bill. Amendments #1,2,3,4,5,7,8,9,10,11,12,13,14, 15,16,17,18,19,20,21,22,23,24,25,26,27, and 29 were adopted in Committee."

Speaker Redmond: "Any motions with respect to the Committee Amendments?"

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #30, Harris, Amends House Bill 2427 as Amended by House Amendment #8 with reference to page and line numbers of that Amendment, on page one line 8 and so forth."

Speaker Redmond: "Is Representative Harris, the Sponsor of the Amendment, on the floor? Representative Harris. Representative Telcser, the Sponsor of the Bill, on the floor? Proceed Representative Harris."

Harris: "You know what it's for."

Speaker Redmond: "Representative Mahar, for what purpose do you rise?"

Mahar: "Thank you, Mr. Speaker. I filed a motion on Amendment #26 several days ago."

Speaker Redmond: "You have it...."

Mahar: "Motion to table on Amendment 26 several days ago."

Speaker Redmond: "Ok. Ok. We do have two motions. Any motion



with respect to Amendment 26?"

Clerk O'Brien: "First I have a motion to table Amendment #2 by Representative Matijevich."

Speaker Redmond: "Representative Matijevich."

Matijevich: "I was in the middle of something else, Mr. Speaker. Could he take it out just for a second and I can look up my file?"

Speaker Redmond: "Out of the record. 2496. Representative Leverenz on the floor?"

Clerk O'Brien: "House Bill 2496, a Bill for an Act making appropriation to the Director of the Department of Corrections. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Representative Hoxsey, are you rising with respect to 2496?"

Hoxsey: "No."

Speaker Redmond: "Ok. For what purpose do you rise? Third Reading on 2496."

Hoxsey: "I'd like to know if you would go back to 1657. We're ready whenever."

Speaker Redmond: "We'll do that as fast as we can. Representative Griesheimer, for what purpose do you rise?"

Griesheimer: "Well, Mr. Speaker, not standing in the same status as my running mate to clarify rules, but I was just wondering according to the information we have been given by your office we're facing some rather heated deadlines on Second and Third Reading very shortly and as I further understand it, pursuant to rules, none of the appropriation Bills are subject to these deadlines and I just wonder why we're spending all this time on appropriation Bills. I'm sure we have a quorum here. Why don't we go on to the substantive Bills that are subject to this deadline and try to move some of those out right now?"



Speaker Redmond: "When you're Speaker, you do it that way. It's my best judgement that this is the way to do it. 2502."

Clerk O'Brien: "House Bill 2502, a Bill for an Act making appropriation to the Department of Transportation. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 2605."

Clerk O'Brien: "House Bill 2605, a Bill for an Act making appropriation to the State Board of Education. Second Reading of the Bill. No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 2649."

Clerk O'Brien: "House Bill 2649, a Bill for an Act making appropriation for grant and aid in the ordinary and contingent expense of the State Board of Education. Second Reading of the Bill. Amendments #1,3,4,5,6,7, and 8 were adopted in Committee."

Speaker Redmond: "Any motions with respect to Committee Amendments?"

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #9, Kane, Amends House Bill 2649 and so forth."

Speaker Redmond: "Is Representative Kane here? Representative Hanahan, what's your pleasure?"

Hanahan: "We accepted it. It's in Interim. It's a \$100,000 accepted. Move its adoption."

Speaker Redmond: "Representative Barnes."

Barnes: "Thank you very much, Mr. Speaker. This is a . . . Representative Kane had talked to us about this Amendment. This is in relation with Sangamon State, which is that intern program. This is agreed Amendment, Mr. Speaker, as far as I know. Representative Peters I believe has something to say."



Speaker Redmond: "Representative Peters."

Peters: "Mr. Speaker, Representative Kane did speak to our staff and the Members of our Committee are in agreement with the appropriation as ... the Amendment as offered by Representative Kane, which is to set-up an internship program within the Illinois Office of Education."

Barnes: "If I might, Mr. Speaker...."

Speaker Redmond: "Representative Schlickman... Representative Barnes, pardon me."

Barnes: "I was wondering whether or not, did anyone move to adopt Amendment #9?"

Speaker Redmond: "Yes, Hanahan did."

Barnes: "Thank you, Mr. Speaker."

Speaker Redmond: "Representative Schlickman."

Schlickman: "Would the Sponsor yield?"

Speaker Redmond: "He will."

Schlickman: "My understanding is that this is a program that is presently funded through the Springfield school district. Is that correct?"

Hanahan: "This is \$100,000 appropriated general revenue to the State Board for the contractual services for the Illinois Government Student Internship program."

Schlickman: "Well I repeat, I understand that this program is presently funded through the Springfield school district. Is that correct?"

Hanahan: "That I have no knowledge of. I.. you know, what they're doing now I have no idea. This is for the future."

Schlickman: "Well my question is if this is a program that has been funded by the Springfield school district, obviously it's a program that has been of benefit to one school district, Springfield and I ask what rationale is there in the State appropriating \$100,000 to fund one district's program?"

Hanahan: "Representative Kane, I'm sure will...."

Speaker Redmond: "Representative Kane."



Kane: "I think what has happened in the past is that the program has been run by District 186, but that it has been that the individual students involved.. the tuition has been charged back to their home districts. And so what this would do is shift the funding to the State instead of having their home districts charged with the tuition."

Schlickman: "So what is the geographic scope of this program?"

Kane: "State-wide."

Schlickman: "And how many students participated last year?"

Kane: "Right now there's about 25 and they're wanting to expand it to about 100."

Schlickman: "Who established initially this internship program?"

Kane: "It's been a joint project between District 186 and the Office of Education."

Schlickman: "And now you're asking instead of the charge backs to the districts for what is basically an educational expense, that the State pick it up. Is that correct?"

Kane: "That's true because what happens is that the students come down and they attend school in District 186 and they get the experience with the State officers and with the State offices. They also go to school at District 186 and what has happened is that it's been a joint program, funded partly by District 186 plus the tuition charge backs and because the way tuition charge back works it becomes a .. an expense to the home district for them to send students down here to get that kind of experience."

Schlickman: "Now, is this \$100,000 that will be going directly to the school district in question?"

Kane: "No, some of that goes to pay for living expenses for the students while they're here."

Schlickman: "Thank you."

Speaker Redmond: "Anything further? Question's on the motion for the adoption of Amendment 9. Those in favor say 'aye', 'aye', opposed 'no'. The 'ayes' have it. In the opinion of the Chair the motion carries. The motion carries and the



Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "Amendment #10, Katz, Amends House Bill 2649 on page 23 line 2 and so forth."

Speaker Redmond: "Representative Katz. Amendment #10."

Katz: "Amendment #10 which I have discussed with the Sponsor of the Bill provides some additional funding for the gifted service centers. It increases the amount from \$843,000 to \$1,220,000. There is no expenditure of money that we make in Illinois that has a greater yield to the future of Illinois than the money we spend in the finding and the search for and the implementing projects for gifted children. I would urge the adoption of Amendment #10."

Speaker Redmond: "Representative Schlickman."

Schlickman: "Would the Sponsor yield?"

Speaker Redmond: "He will."

Schlickman: "Isn't it true that the amount recommended by the State Board was \$843,000, a 33.8% increase over Fiscal '79?"

Katz: "That is correct..."

Schlickman: "And your Amendment would provide for a 93.7% or practically a 100% increase over Fiscal '79?"

Katz: "It would result in an increase from \$630,000 in Fiscal '79 to \$1,220,000 in Fiscal '80. But Representative Schlickman, I would want to say to you that this is an area that greatly needs increase in expenditures if the future of Illinois is to be in the hands of young people today who have qualities of leadership, this is precisely the group. We do need area service centers to search for the children who will be the leaders in the future. I think it is the best investment that the State of Illinois can make. We spend a great deal of money in the field of education which money is very useful and helpful but which will not determine the future of the State. The gifted money that we spend, the searching for and finding the young students who will be the leaders in the State a generation or two hence is the best investment



that the State will make and I would urge the adoption of Amendment #10."

Schlickman: "Thank you for running out of breath. How can you substitute your judgement for the judgement of the State Board that has determined that a 33.8% increase in one year is appropriate?"

Katz: "Mr. Schlickman, we substitute our judgement for not only the State Board of Education, but for the Governor and every other institution of the State. That is precisely what the Legislature is set-up for, to make the ultimate judgements about what is important and what is not important. Other than telling me that the good object and purpose with which I agree, but what is the rationale or justification from going to a 33.8% increase to a 93.7% increase?"

Katz: Well the justification is that the proposed increase will not result in the additional funding that is needed for the gifted service centers of which there are nine in the State of Illinois. These service centers are not adequately funded as far as I have been able to observe. I believe that they ought to be more adequately funded. I believe incidently that the Board of Higher Education and the Office of Education really shares the basic feelings about the importance of the program. It is a matter of judgement, the extent to how much more we're going to put into the program. I would urge that we make the additional step which is proposed in Amendmant #10. Thank you."

Speaker Redmond: "Representative Hanahan."

Hanahan: "I support the Amendment and urge your favorable vote on this Amendment #10."

Speaker Redmond: " Question's on the Gentleman's motion for the adoption of Amendment 10. Those in favor say 'aye', opposed 'no'. Those in favor vote 'aye', opposed 'no'..... Have all voted who wish? Have all voted who wish? Clerk will take the record. Totten just yells louder. This question there's 77 'aye' and 23 'no'. The motion carries. The Amend-



ment is adopted. Any further Amendment?"

Clerk O'Brien: "Floor Amendment #11, Anderson- Jane Barnes,  
Amends House Bill 2649 as Amended in Section 3 and so forth."

Speaker Redmond: "Representative Anderson."

Anderson: "Withdrawn please."

Speaker Redmond: " Amendment 11 is withdrawn. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 2650. Representative Hanahan."

Hanahan: "I'd like to. . . you know. . . I know we went off this  
but. . ."

Speaker Redmond: "Hanahan, we can't hear you."

Hanahan: "I know. I've got a sore throat."

Speaker Redmond: "Representative Anderson withdraws. . . he withdrew 11."

Hanahan : "The question is I've got is that in accordance  
with Representative Barnes because we had an agreement  
that if he didn't want to handle that Amendment Represent-  
ative Barnes was going to handle it. And I, you know,  
I don't like to be in a trick bag. All of a sudden we  
took out the textbooks level that we wanted. Representative  
Barnes in accord with that withdrawal? . . . . Well, Mr. Speaker,  
you know, these kinds of tricks that we get placed on . . .  
the Sponsor offering an Amendment then withdrawing it,  
keeping other Members from offering the identical Amend-  
ment because it's dilatory, is absolutely should be out..  
ruled out. Because now Representative Barnes came to me and  
she wanted to put this Amendment on and Representative  
Anderson already withdraws it. Now we have no chance of  
offering another Amendment like this and I'd like Represent-  
ative Barnes, Jane Barnes to speak on that Amendment  
whether or not she wants it on. She's the principle Co-  
sponsor."

Speaker Redmond: "Well that's within her. . . Representative  
Barnes, do you seek recognition?"

Barnes: "What House Bill. . . House Amendment #11 does , it increases  
the money for the textbook program from \$14,500 to \$16,200,000."



.. from \$14,500,000 to \$16,200,000 and I would like to point out that the textbook program is such an innovative program in the State of Illinois that the Illinois Office of Education has been asked to come to California, Boston, Massachusetts, and also Mississippi and Alabama so that they can start to institute the textbook programs there.."

Speaker Redmond: "Representative..... Representative Schneider and your guest will you please sit down? That's McPike.

Representative Gene Barnes, for what purpose do you rise?"

Barnes: "Well, just for a point of order, Mr. Speaker. It seemed to me that I heard this Bill go to Third Reading. I'm wondering how it got back to Second."

Speaker Redmond: "Well, it is on Third Reading."

Barnes: "So how can you Amend it on Third Reading?"

Speaker Redmond: "Representative Hanahan has made an inquiry and I presume that he will ask leave to return it back to the order of Second Reading."

Barnes: "Well it seemed to me that we're discussing an Amendment on a Bill that's on Third Reading...."

Speaker Redmond: "Representative Hanahan."

Hanahan: "I'd like to suspend the appropriate rule and have this ... House Bill..."

Speaker Redmond : "He asked leave to return it to the order of Second Reading. Does he have leave? Hearing no objection, leave is granted. Now read the Bill on Second Reading. I take it back to Second."

Clerk O'Brien: "Amendment #11, Anderson- Jane Barnes, Amends House Bill 2649 as Amended in Section 3 by deleting the following and so forth."

Speaker Redmond: "No Representative Jane Barnes on Amendment 11."

Barnes: "Well to add a few more remarks... this program has been so successful that Joliet is discontinuing their book rental entirely and in District 211 they are reducing the fees for book rental by \$2 and I would urge a favorable vote on this Amendment."



Speaker Redmond: "Representative Hanahan: Hanahan: "Mr. Speaker, and Members of the House, I greatly encourage you to vote 'aye' on this Amendment."

Speaker Redmond: "Question's on the Gentleman's motion: the Lady's motion for the adoption of Amendment 11. Those in favor say 'aye', opposed 'no'. The 'ayes' have it. The motion carries. The Amendment's adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 2650."

Clerk O'Brien: "House Bill 2650, a Bill for an Act making appropriation to the State Board of Education. Second Reading of the Bill. Amendment.... No Committee Amendments."

Speaker Redmond: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #1 lost in Committee. Floor Amendment #2, Peters, Amends House Bill 2650 as Amended on page one and so forth."

Speaker Redmond: "Representative Peters. Not on the floor. What's your pleasure Representative Schneider? Third Reading. 2651."

Clerk O'Brien: "House Bill 2651, a Bill for an Act to make appropriations for the General Revenue Fund.... from the General Revenue Fund to the State Board of Education. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Redmond: "Any Amendment... any motion with respect to Committee Amendments?"

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Any Amendment from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Redmond: "Third Reading. 2652."

Clerk O'Brien: "House Bill 2652, a Bill for an Act to make appropriation to the Department of Revenue for payment of over withheld sales tax. Second Reading of the Bill. No Committee Amendments."



Speaker Redmond: "Any Amendment from the floor?"

Clerk O'Brien: "None."

Speaker Redmond: "Third Reading. 2680."

Clerk O'Brien: "House Bill 2680, a Bill for an Act to make an appropriation to the Southern Illinois University. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Redmond: "Any motions with respect to Amendment 1?"

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Any Amendment from the floor?"

Clerk O'Brien: "Floor Amendment #2, E.G. Steele-Winchester, Amends House Bill 2680 as Amended by inserting immediately after Section 1 and so forth."

Speaker Redmond: "Representative Steele."

Steele: "I move to table Amendment 2 please."

Speaker Redmond: "The Gentleman withdraws Amendment 2. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 2690."

Clerk O'Brien: "House Bill 2690, a Bill for an Act to make an appropriation to provide for the ordinary and contingent expense of the State Board of Education. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Redmond: "Any motion with respect to Amendment 1?"

Clerk O'Brien: "No motions filed."

Speaker Redmond: "Any Amendment from the floor?"

Clerk O'Brien: "Floor Amendment #2, Anderson-Jane Barnes, Amends House Bill 2690 as Amended in Section 2 and so forth."

Speaker Redmond: "We recognize Jane Barnes and Anderson, and Anderson and Jane Barnes."

Anderson: "I yield to Jane Barnes."

Speaker Redmond: "Representative Jane Barnes."

Barnes: "Well, Mr. Speaker, since we've already accomplished our mission I would think it would be in order to table this Amendment, withdraw it."

Speaker Redmond: "The Lady withdraws..."



Barnes: "No, excuse me. The consensus of opinion is ... Alright,"

Mr. Speaker, it's a woman's prerogative to change her mind, I think I'll exercise that right."

Speaker Redmond: "Don't exercise it too frequently though."

Barnes: "I won't. "

Speaker Redmond: " Proceed."

Barnes: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, since we have already discussed what the textbook program does for the State of Illinois, this Amendment changes the textbook money from \$11,150,000 to \$16,200,000 and I would like the same consideration as we had on the last textbook Amendment."

Speaker Redmond: "Representative Schneider."

Schneider: "Thank you, Mr. Speaker. The textbook selection process by the Illinois Office of Education I think has to vary year to year depending on the money. One of the questions we ought to be aware of is how we extend our resources. This additional appropriation moves the textbook provision to 16,000,000. The present request from the Board which they considered certainly adequate at 14,500,000 is now being raised by an additional two million. I would basically oppose it but will accept the voice vote."

Barnes: "I would move for its adoption, Mr. Speaker."

Speaker Redmond: "The Lady has moved the adoption of the Amendment. Those in favor indicate by saying 'aye', opposed 'no'. Those in favor vote 'aye'; opposed 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 74 'aye' and 57 'no'. The motion carries. The Amendment #2 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Redmond: "Third Reading. 2691."

Clerk O'Brien: "House Bill 2691, a Bill for an Act making appropriations, to provide for the ordinary and contingent expense of the State Board of Education. Second Reading of the Bill."



Amendment #1 was adopted in Committee."

Speaker Matijevich: "Any motions?"

Clerk O'Brien: "No motions filed."

Speaker Matijevich: "Any Amendments from the floor?"

Clerk O'Brien: "No Floor Amendments."

Speaker Matijevich: "Third Reading."

Clerk O'Brien: Representative Matijevich in the Chair."

Speaker Matijevich: "House Bill 2763."

Clerk O'Brien: "House Bill 2763, a Bill for an Act making appropriation to the Public Libraries Study Commission. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Any Amendments from the floor?"

Clerk O'Brien: "Amendment #1, E.M. Barnes, Amends House Bill 2763 on page 1 line 5 and so forth."

Speaker Matijevich: "The Gentleman from Cook, Representative Eugene Barnes on Amendment 1."

Barnes: "Thank you very much, Mr. Speaker. This is an Amendment that was discussed in Committee. It simply appropriates for this year \$50,000 for this Commission. The over-all appropriation will be 100,000...it's 50,000 for this year, 50,000 for the second year and that's the end of the life of this Commission. It goes out of... it terminates at that point. I would move for the adoption of Amendment #1."

Speaker Matijevich: "The Gentleman moves for the adoption of Amendment #1 to House Bill 2763. The Gentleman from Cook, Representative Totten, are you on this Amendment or..?"

Totten: "Well, I support the Amendment. I can't believe that the Commission would ever be abolished but I thought we were putting all the Commission Bills on the Omnibus. Why is this one separate? That's my question."

Barnes: "We are Representative. This one came in late.. have no problem with it going on the Omnibus. This the substantive legislation for this Bill did come out of... was not heard in Executive till the very last day. I have no problem with



integrating this one into the Omnibus, but we have to Amend it."

Totten: "Well, we could Amend it on the Omnibus by just sticking it on there."

Barnes: "Well, that's alright, too. But at least, in the shape that it was in now it was necessary to reduce it \$50,000 so that's what we did, but I have no problem with putting it on that Omnibus."

Speaker Matijeich: "The Gentleman moves the adoption of Amendment #1. All in favor say 'aye' ; opposed 'no'. And Amendment #1 carries and is adopted. Further Amendment."

Clerk O'Brien: "No further Amendment."

Speaker Matijeich: "Third Reading. House Bill 2201."

Clerk O'Brien: "House Bill 2201, a Bill for an Act making appropriation for the common school funds of the State Board of Education . Second Reading of the Bill. No Committee Amendments."

Speaker Matijeich: "Amendments from the floor?"

Clerk O'Brien: "Amendment #1 failed in Committee. Floor Amendment #2, Peters, Amends House Bill 2201 as Amended on page one and so forth."

Speaker Matijeich: "The Gentleman from Cook, Representative Peters."

Peters: "Mr. Speaker and Ladies and Gentlemen of the House, Amendment #2 is just an attempt, just an attempt, to bring the funding level down to what we believe to be a reasonable amount at least to work from and negotiate from as opposed to starting at a high amount of \$1, 423,000,000, we propose to reduce that to \$1,361,000,000 which is basically the line figure which has been given to us in terms of the \$80,000,000 allocation of the Governor's Office. It would make a fifty-eight million dollar reduction in this particular Bill. I think all of us understand that this Bill and this appropriation like a lot of others will be subject to Senate action, negotiation in Conference Committee and



a lot of consultation with various interested parties. It is our position however that in terms of arriving at a figure that will be equitable and just in terms of funding the schools in Cook County, suburban Cook County, and down-state Illinois, and I underline down-state Illinois, that we start out with a figure which is considerably lower than that which is presented to us now so that we can move up as opposed to trying to fight for those dollars when the move will be made to take dollars away from this appropriation and to reduce it. It's a lot easier in our estimation to vote for add-on's for down-state schools or suburban schools than be forced later on into a position of trying to vote for cuts in the budget or voting for moneys that all of know will not be there. It seems to us a more practical and a more sensible kind of approach to this problem. Right now the Elementary and Secondary Education funding is \$95,000,000 over the Governor's level. That's 95,000,000 over the 80,000,000 already added. That's \$175,000,000 more. Now, I don't want to and I don't think Members of this House should be forced to be put in the position later on of choosing between Fiscal responsibility and voting for cuts in various kinds of programs. It's a lot easier to start low and vote to add on to programs as opposed to going the other way around. I would support ... I would ask your support of this Amendment."

Speaker Matijevich: "Motion to adopt Amendment #1. No further discussion. All...Oh, Amendment 2, rather. Oh, the Gentleman from Adams, Representative McClain."

McClain: "Thank you, Mr. Speaker. Would the Gentleman yield?"

Speaker Matijevich: "He indicates he will."

McClain: "Mr. Peters..."

Peters: "... to a delicate question, Representative McClain."

McClain: "It's just your philosophy you'd rather begin at the bottom rather than begin at the top. Is that right, for negotiations?"



Peters: "I think that we all understand Representative McClain that there probably will be for a variety of reasons some addition funds available. It's a question of what funds are available and whether what decisions we make in terms of education or Public Aid or mental health. And I think it's a lot easier if we start low and then start adding on rather than voting out funding Bills at high levels and then trying to reduce them. I think it's easier on the Members, it's certainly easier on me."

McClain: "I'm sure that's true. How much money is this below the estimated expenditures last year?"

Peters: "If I am informed, it's about 5,000,000 above."

McClain: "Our information says is... says the estimated expenditures for this year's one billion, three hundred and eighty-eight million."

Peters: "I am informed by staff that that figure appears to be a little high. I think Representative McClain, both, you know you and I are all agreed, this figure's got to come up. It's a question of how we proceed in getting it up. It would be your contention we start high and maybe go higher or maybe go lower. It would be our contention that we are better off in starting low and then adding on. It's a basic disagreement in how you approach the problem. I think we're both in agreement. There's a few dollars more available."

Speaker Matijevich: "Could I interrupt? The television has permission to film so that the Members are aware of that now. Proceed Representative Peters."

Peters: "No, I think... I've said what I have said."

Speaker Matijevich: "The Gentleman from Cook, Representative Barnes. Oh, I'm sorry. Back to Representative McClain."

McClain: "Mr. Speaker, I thought Mr. Peters and I had sort of an informal agreement that the cut would not be so drastic on this Amendment. I don't think I have any aversion to



have some obvious agreement that we have to negotiate..."

Speaker Matijeich: "Representative McClain, do you think..."

McClain: "And I don't particularly mind that Mr. Peters kind of controls Appropriation II, but I hate for him to then also control the House floor on this so with leave I'd like to pull it out of the record."

Speaker Matijeich: "Take the Bill out of the record. House Bill... House Bills Third Reading. Priority of Call Calendar. The first Bill will be House Bill 529, Schisler. The Gentleman from... the Minority Leader, from Kankakee, Representative Ryan, for what purpose do you rise?"

Ryan: "Well thank you, Mr. Speaker. I note that today's schedule calls for a break between one and two. Is it the intention of the Chair to continue on that schedule or have the plans changed? I think it's only fair that the Membership be informed."

Speaker Matijeich: "That's the Speaker's intentions, I understand. But it's up to the Membership... I'd like to tell you what I'd like to do George. I'd like to work all night so I don't... so I'm not here Saturday. But I'm not the Speaker, as you know."

Ryan: "Well, but you're starting to give me an answer like the Speaker. I mean are we going to follow the schedule or aren't we?"

Speaker Matijeich: "What do you want to do George?"

Ryan: "Whatever the will of the Chair is but I'd like to know and think that the Members should be informed. I see the Assistant Speaker shaking his head. I don't know what that means."

Speaker Matijeich: "This other Gentleman says we'll get back to you in about 20 minutes."

Ryan: "You do sound like the real Speaker."

Speaker Matijeich: "Hold your breath, he also says for 20 minutes."

Clerk O'Brien: "House Bill 529, a Bill for an Act making an appropriation to the Department of Transportation. Third Reading



of the Bill."

Speaker Matijeivich: "It's my error. We're going to start at House Bill 1261 at the top of the page and then we'll go down. We'll get to Schisler shortly. Before we do that the Gentleman from Cook, Representative Peters, for what purpose do you rise?"

Peters: "Mr. Speaker, with your leave, for the purposes of an introduction?"

Speaker Matijeivich: "Proceed."

Peters: "Ladies and Gentlemen of the House and Mr. Speaker, I would like to introduce to all of you a group of young people that a lot of you have met who participate in the Future Homemakers of America project which is funded in large part by the Illinois Office of Education and the group that is with us here today from almost every district in the State and I know a lot of you have met them individually and I don't want to go through calling out all the names because we'd be here a long period of time, but they're from all districts in the State and their particular project on peer nutrition education is funded by the Illinois State Council on Nutrition. And they're all here today to say, 'Hello', to all of you and to ask for your support for the project that they are involved in and I'd like all of them to stand. They're here in the Speaker's balcony to receive our welcome."

Speaker Matijeivich: "Welcome to the House. The Gentleman from Cook, Representative Yourell."

Yourell: "An inquiry of the Chair.. Mr. Speaker I understand that House Bill 1261 on Priority of Call is not the next Bill to be called but rather House..."

Speaker Matijeivich: "... Representative Yourell, we're starting at the top of the Priority of Call page because I want to announce that we may never get back to any Bill once we take it out of the record. So, without leave.... There was no Priority date in the computer so.. and that should



5-4, May 4, and that's why we're getting to that.. Oh, we're passing that up.. There's an error. We're starting with House Bill.... Oh boy.... 13... Read the Bill."

Clerk O'Brien: "House Bill 13, a Bill for an Act to provide for the submission to electors of the State the question of whether or not they favor the Equal Rights Amendment. Third Reading of the Bill."

Speaker Matijeich: "The Gentleman from Cook, Representative Kelly on House Bill 13."

Kelly: "Thank you, Mr. Speaker and Members of the House.

House Bill 13 primarily relates to the Equal Rights Amendment and this particular proposal would place the ERA on the November ballot of 1980. It will allow the constituents in your districts to cast a vote on a subject which has become very important to both the supporters and the opponents of the Equal Rights Amendment. I have been an opponent as you know of the ERA since I've been a Member of the General Assembly, but I feel that this is an extremely important issue and there is a great amount of misinformation being given out on the Equal Rights Amendment. There's the supporters of ERA claiming that their side has the Majority support and the opponenets of ERA saying that the greatest number of citizens in Illinois opposed ERA. This would give once and for all everyone of us an opportunity to know what our constituency wants on the issue of Equal Rights Amendment. It would also take those who might be fence sitters off the fence and allow them to you might say represent their constituency if they're not representing them and not to be listening to arguments or using arguments on one side or another. I feel specifically that this would offer a great challenge to the supporters of the Equal Rights Amendment. This would give them probably one of the only opportunities they have of even having a chance of passing ERA. I happen to think it would go down by a substantial margin and I'm willing to take a



chance and that's why I'm challenging the proponents of ERA to allow this issue to go on the ballot."

Speaker Matijevich: "The Gentleman has moved for the passage of House Bill 13. On that the Gentleman from Cook, Representative Greiman."

Greiman: "Does the Gentleman yield for a question or two?"

Speaker Matijevich: "He indicates he will."

Greiman: "Ok, Mr. Kelly if the voters of Illinois voted affirmatively for the Equal Rights Amendment, would you change your vote? You've been an opponent, would you change your vote?"

Kelly: "I don't go around on the subject... No, I definitely don't intend to change my vote but I feel that there are some .."

Greiman: "And if the voters in the 9th District voted for the Equal Rights Amendment, would you change your vote?"

Kelly: "I don't plan to but I don't see where that would have a reflection on this..."

Greiman: "Well, I just asked you a question if you, if you would or not. You would not, that's your answer. Alright. So that for you at least this referendum is sort of a nullity. Mr. Speaker, on the issue itself."

Speaker Matijevich: "Proceed."

Greiman: "Representative Kelly has forgotten apparently that Amendments dealing with the RTA were put on this Bill, that if you have strong feelings about keeping the RTA as a viable...as a viable transportation authority, this should be a no' vote probably You shouldn't be involved in putting this on. If you have strong feelings the other way, you perhaps also should not keep it...want it on the ballot. The DC Amendment is also on this as well. And if you have feeling one way or another, you'll perhaps ought not to be. But you know what the whole thing is? That who wants to... who wants to fight your campaign next year on whether you're for the Equal Rights Amendment or



against it, whether you're for DC only or against it? What we will do is escalate these issues into our campaign. There are men and women who serve here who are on the other side of ERA with me, who disagree with me very much, but I respect them. I think they're important. I wouldn't want to lose them necessarily just because they differ from me on an issue. Similarly there are people who are on the other side, who feel strongly about that issue or DC or some other issue. And I wouldn't want them to be.. to be thrown out of office, to be battling their primary, battling their election over a single issue. Now you know from me, this is pretty nice. I was.. I was a Member of... I was the Chief Sponsor last year of the Equal Rights Amendment last Session and I guess there will probably be a lot of state-wide debates over them. It would probably be Phyllis and Allan, Allan and Phyllis, wherever we went, all over the State. We'd be debating. And I'd probably get a heck of a lot of publicity, but you know, spare me the publicity. I'm not interested in it. I don't think you ought to be interested in it, I don't think you ought to be interested in it, either because it will just tend to zero in on some issues, some narrow issues that we ought not to be fighting in our campaign about. There are broad issues. We're all creative Legislators. We all are involved in a lot of different things and we ought not to almost.. almost trivialize our campaigns into very separate issues. So that as smart politicians, and everybody who's sitting here is a politician, I ought to be if not voted 'no', certainly present and just forget about the whole thing. It's a lot of fun and it's been fun playing with this since March but now it's time to just ignore it and forget about it. I'm going to vote 'no', or at least present. I don't know, one of those two important votes I'm going to do and I think you ought to join me."

Speaker Matijevec: "The 20 minute announcement from the Chair



we will work right straight through till 8:00 p.m.,  
right straight through till 8:00 p.m. The Gentleman  
from Cook, Representative Peters."

Peters: "Mr. Speaker, I move the previous question."

Speaker Matijevich: "The Gentleman from Cook, Representative  
Peters, has moved the previous question. The question  
is, 'Shall the previous question prevail?' All in favor  
say 'aye', all opposed 'no'. The previous question  
prevails. The Gentleman from Cook, Representative Kelly,  
to close."

Kelly: "Thank you, Mr. Speaker, and Members of the House.

I have to refute part of the argument raised by the opponent  
of this Bill and the Leader for ERA in the House on this  
ERA becoming an issue in your campaign. I think if anything,  
it would not be an issue. It's been an issue in my cam-  
paign ever since I've been running for office and I'm sure  
that's .. every Member of this House has found ERA has been  
an important issue in our district. If we have a separate  
ERA on the ballot you'll find out that the supporters,  
and the opponents on both sides are going to spend more  
time on the issue and less time in our campaigns and in  
many cases, I prefer it that way rather than having someone  
who is spending concentrated time in your campaign. So  
I think it will <sup>separate</sup> separate itself from the issue. I think  
this and I challenge those who support ERA, this is  
your only opportunity you're going to have possibly  
to pass Equal Rights Amendment. I'm sure it's happened  
in other States where it's gone down by substantial margins  
Every State where there has been an ERA referendum, it's  
gone down by a huge margin In Illinois, being a relatively  
conservative State, I feel it would go down by an even  
bigger margin That's why I'm proud to support this.  
I just ask you to vote your conscience."

Speaker Matijevich: "The Gentleman from Cook, Representative  
Kelly, has moved for the passage of House Bill 13. The



question is, "Shall House Bill 13 pass? Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted?" The Lady from Cook, Representative Pullen, to explain her vote."

Pullen: "I know I don't need to persuade anyone because the Roll Call is going so well but I would simply like to make the point that the Equal Rights Amendment expired on March 22 so it would be totally inappropriate to have a referendum on it after it's already dead. Thank you."

Speaker Matijevich: "The Lady from DuPage, Representative Dyer, to explain her vote."

Dyer: "Yes, quite obvious that there's a difference of opinion is whether ERA is alive or dead. That will be settled ultimately I'm sure. Right now, it's very much alive and I want to point out I have voted 'yes' for a referendum every previous time cause I've been very happy to run out front with ERA as an issue. However, I think in this case when the Sponsor himself said on this Floor yesterday that he did not want the subject of abortion on a referendum for the people to decide because people can get so easily confused. And when he says that he himself is not going to be bound by any vote that comes out of this referendum why should the taxpayers of Illinois have to spend millions of dollars for a referendum that is not going to be binding on this General Assembly and that the Sponsor's not even going to abide by. Happy to vote 'no'."

Speaker Matijevich: "Alright. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 54 voting 'aye', 101 voting 'no' and 5 voting present. And this Bill failed to receive the Constitutional Majority is hereby declared defeated. Next Bill House Bill 420, DiPrima."

Clerk Leone: "House Bill 420, a Bill for an Act to Amend the School Code. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative



Prima on House Bill 420." ~~Prima on House Bill 420.~~

DiPrima: "Yes, Sir, Mr. Speaker, Ladies and Gentlemen of the House, I want to preface my remarks by thanking the Speaker for being where he's at at the present time. I won't have him to contend with."

Speaker Matijevich: "Amen."

DiPrima: "Alright well as you know this is the Bill that pertains to the Section dealing with veteran's dependants, scholarships in the School Code and adds a Section to the Department of Veteran's Affairs Act that gives certain veteran's dependants similar scholarship rights. This will award scholarships to dependants of eligible veterans regardless of when such declaration was made as to relationship with spouse and the child came into being. Scholarship benefits will include tuition, application, matriculation, activity, graduation, incidental fees instead of mandatory fees. And I will be happy to answer any questions and I will appreciate an affirmative vote."

Speaker Matijevich: "The Gentleman from Cook, Representative DiPrima, has moved for the passage of House Bill 420. The question is, 'Shall House Bill 420 pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this issue there are 131 voting 'aye', 6 voting 'no', 4 voting present and House Bill 420 having received the Constitutional Majority is hereby declared passed. House Bill 675. Who's handling this Bill for Brady? Anybody? OUT of the record. House Bill 348, Harris. Read the Bill."

Clerk Leone: "House Bill 348, a Bill for an Act to Amend Sections of the Illinois Insurance Code. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Williamson, Representative Harris."

Harris: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. For the purpose of Amendment I'd like to move Bill



348 to Second."

Speaker Matijevich: "We may never get back to it if you do that."

Harris: "I'd like to put it on Second and hold it on Second for some time. Thank you."

Speaker Matijevich: "Leave to return House Bill 348 back to the order of Second. Leave. And House Bill 348 is on Second Reading and held there. The next Bill, House Bill 529, Schisler."

Clerk Leone: "House Bill 529, a Bill for an Act appropriating money for the road fund to the Department of Transportation. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Fulton, Representative Schisler."

Schisler: "Mr. Speaker and Ladies and Gentlemen of the House, the Digest is absolutely correct on this. The Bill appropriates 600,000 from the road fund to the Department of Transportation for a temporary bridge in Fulton County on Route 9 at Spoon River. A little background on that.. the 48th District which I represent and specifically Fulton County is where I live, we do not have a four lane highway. Route 9 going through Fulton County will be closed for a period of two years while they construct a new bridge. I do not agree with the Department of Transportation that that road should be closed for two years. I have tried to get them to leave the old bridge while they build a new one which would make sense but often times common sense doesn't prevail with highway engineers. So therefore, and I didn't think it'd be necessary to pass this, but I do, would like to have a favorable Roll Call on it."

Speaker Matijevich: "The Gentleman from Fulton has moved for the passage of House Bill 529 and on that the Gentleman from Cook, the Chairman. the Minority Spokesman of Appropriations I, J.J.Wolf."

Wolf: "Alright. Yes. Mr. Speaker, Members of the House, I understand that the existing bridge over the Spoon River is



one of 3 bridges on Illinois Route 9 which has been approved by the Department of Transportation for replacement and there are 2 more bridges over Lost Grove Creek and Turkey Creek and after holding some public hearings the Department of Transportation has recommended that Route 9 be closed during the construction because the volume of traffic on Route 9 is very light. The average daily traffic count is 600 cars and they have recommended an alternative.. alternate route to proceed from Canton to Bushnell. The officials of the Illinois Department of Transportation, both in Springfield and at District 4 headquarters in Peoria, feel that this appropriation is highly unwarranted and that they recommend and maintain that it would be insufficient to \$600,000 on a temporary bridge when a simple detour system could be implemented, especially when there's only 600 cars a day. And I'm just wondering, Mr. Speaker, I would have to think that the relative benefit when compared to cost would not warrant the expenditure of \$600,000. And this is road fund money I might point out."

Schisler: "Mr. Speaker, Mr. Speaker."

Speaker Matijeich: "Oh, he didn't ask a question. He'll be able to close. The Gentleman from Henderson, Representative Neff."

Neff: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I certainly hate to get up and oppose Representative Schisler on this Bill cause it does cover a part of my area but I have did a lot of checking on this particular bridge and it is going to cost over \$600,000. In fact is, time they'll get through they're going to replace two bridges and to replace both of those we're talking about a million dollars here for these runarounds to... while they're being served. I've also checked on the amount of traffic that people are about to have between the Canton, Illinois and Bushnell, Illinois and most of them would have to travel only 7 to 8 miles. And as much as I hate to oppose this I think



...it's money that is badly needed in other places in the State, in fact, is by putting this by-pass in, could cost us, another bridge in the State of Illinois which is so badly needed. So therefore I would have to oppose this legislation."

Speaker Matijevich: "The Gentleman from Fulton, Representative Schisler, to close."

Schisler: "Mr. Speaker, Ladies and Gentlemen of the House, it's true that there will be 3 bridges replaced on Route 9. However, 2 of those bridges are only going to be for a few weeks during the one summer for that construction period. The other bridge will be closed for 2 years. And I don't give a damn whether it's 6 cars or 600. By God, that's important to my people and I'm damn tired of the District engineers mentality that just because we live in West Central Illinois we're not entitled to good highways. In the Peoria Journal Star yesterday there was an article that's an embarrassment to all of us and it's called, if you remember a few years ago 'Forgottonia'. And the West Central Illinois part is neglected and it's not true that there's only 7 or 8 miles around. I lived and farmed in that area and there's nothing but wagon tracks around and there's no good bridges. The school buses will have to travel 30 miles, fire trucks, the grain trucks, the ambulances, they're going to be virtually cut off in that part of the State of Illinois. And to reiterate, if the engineers would leave the old structure, and that's what I tried to do, that's why I introduced this Bill was to try and force them to leave the old structure. There's a curve in the road, the old bridge is on a curve. They could straighten that road out with a new one and to tell you how damn silly they are, they're going to build a temporary structure for the construction equipment across the river. So I don't understand their thinking. There's no common sense to it and I would move for the passage of this Bill."



Speaker Matijevich: "The Gentleman from Fulton, Representative Schisler, has moved for the passage of House Bill 529. The question is, 'Shall House Bill 529 pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. The Gentleman from Adams, Representative McClain, to explain his vote."

McClain: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House we all know, every Member sitting here, we all know that the Legislative branch does not build highways. What we do in the Legislative branch is we finance highway programs. I regret very much Ms. Kent not being here. She's also in the 48th District and she made the motion for this Bill to get out of Appropriations Committee. But this is not.. this is just a hammer for Representative Schisler and the people in Fulton County so that something can be done for those farmers and those people in that area, that's a critical issue. They're going to have to travel 30 miles in order to make use of the bridge site. I think it's very important for you to know that what you're doing here is just letting those citizens have some opportunity to negotiate. The Legislative branch does not build the roads. All we're trying to do is provide those people in Fulton County with an opportunity to talk to the District engineer so that they can be satisfied. Driving 30 miles is really just unfortunate and all they've done is stonewall and this gives them an opportunity to talk to the District engineers. I ask you to vote 'aye'."

Speaker Matijevich: "The Gentleman from Will, Representative Davis to explain his vote."

Davis: "Yes, thank you, Mr. Speaker. I'm sympathetic with this. I'm voting 'no' because I did in Committee. I'm sympathetic with the problem as outlined by Representative McClain and we all love pork for our Districts. This seems to be a pretty good piece for.. to solve a problem. However, all of our Districts, including this one I think, has 10, 11



million dollars in pork in it and I'm wondering if we give you this one if the rest of it could go by the Boards."

Speaker Matijeivch: "Have all voted? Have all voted who wish?"

The Clerk will take the record. On this question there are 103 voting 'aye', 50 'nos', 12 present. And House Bill 529 having received the Constitutional Majority is hereby declared passed. House Bill 162. McAuliffe. The Sponsor's not on the floor. Out of the record. House Bill 189, Bowman. Read the Bill."

Clerk Leone: "House Bill 189, a Bill for an Act to Amend the Nursing Home Act. Third Reading of the Bill."

Speaker Matijeivch: "The Gentleman from Cook, Representative Bowman, on House Bill 189."

Bowman: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 189 provides that the Department of Public Health shall at the end of each Fiscal quarter publish a report regarding the status or final disposition of its actions against licensees or applicants that have been served with notice regarding the contemplative denial, refusal to renew, or revocation of a license by the Department in the case of nursing homes that have failed to meet the standards of the Department and the requirements set out in the Illinois statutes. The report shall identify the home and summarize the facts and charges that constitute the ground for such action. The Bill.. the idea for this Bill came to us from the Department of Public Health itself. I have here a memorandum from William Ervine, Chief of Division of Geriatrics and Long Term Care Program, and it's dated March 29, 1978. We put this Bill together in response to their suggestions. It had in it in its original form a requirement that .. notice of proposed hearings to judicate the charges leading to denial of license be posted in the homes. We deleted that. The industry had no problem with the reporting component of the Bill. They did have a problem with the posting part of the Bill. I



took it out after thinking about it cause the posting would only be up for 10 days in any event so it seemed to be something we could live with if we took it out. So I think the Bill remains a good Bill. I would point out that, for the benefit of the Membership, that homes that would be involved in this kind of reporting procedure that would show up in the reports would be homes that had already gone through a considerable period of time in which they had had hearings in front of the Department officials in the region and at the central office. If we... by the time they would even get to the point where they would conceivably be a candidate for such a report, they would have been informed on 3 separate occasions. They would have had a regional conference and a central office conference and a prehearing conference. They would have been given ample opportunity to correct deficiencies.."

Speaker Matijevich: "The camera lights are off. No pictures taken."

Bowman:".. and that in the last 2 years out of 1,000 homes, that are licensed to do business in Illinois, only 68 have gotten to the final stage of action where they would actually be candidates for such a report, only 68 homes. Now there's often a concern in this Assembly that when we pass nursing home Legislation that we do something that might affect the good homes as well as the bad homes. Well let me tell you Ladies and Gentlemen, if only 68 homes in a 2 year period out of the thousand homes that we license fall in this category, it seems to me that this is definitely action against only the worst homes in the system and I think this deserves a favorable Roll Call and I solicit your support."

Speaker Matijevich: "The Gentleman from Cook has moved for the passage of House Bill 189. There's no discussion. The question is, 'Shall House Bill 189... shall House Bill



189 pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. The Gentleman from Cook, Representative Schlickman, to explain his vote."

Schlickman: "Not to explain my vote, Mr. Speaker, but the Speaker has asked me to announce that the hour is 11:45 and Representative Walsh has arrived."

Speaker Matijevich: "Welcome aboard, Representative Walsh. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there 131 voting 'aye', 5 voting 'no', 2 voting present. House Bill 189 having received the Constitutional Majority is hereby declared passed. House Bill 192, Marovitz. Read the Bill."

Clerk Leone: "House Bill 192, a Bill for an Act to Amend Sections of the Nursing Home, Shelter Care Home and Homes for the Aged Act. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Marovitz, on House Bill 192."

Marovitz: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 192 is a Bill Sponsored by myself and Representative Lechowicz and requires the Department of Public Health to maintain evaluative files on each nursing home, shelter care home or home for the aged which it presently licenses. Presently there are quarterly inspections by the Department. This would maintain that as a result of those quarterly inspections certain types of files which are available to the public and which evaluate the homes and tell what the results of the inspection were would be available and would be on file. Presently as a result of the quarterly inspections that are in the law there's only a loose leaf folder which is kept which embodies the inspection report. This is an important piece of legislation which will reform the nursing home industry and clean up the rampant problems that have been documented by the media. This is a Bill which is supported by the Illinois Association of Retarded Citizens, by the



Illinois Association of Senior Citizens, the Department of Aging supports the concept of this legislation and I would ask for a favorable Roll Call on this piece of legislation to clean up the nursing home industry."

Speaker Matijeich: "The Gentleman from Cook, has moved for the passage of House Bill 192. On that the Gentleman from Will, Representative Kempiners."

Kempiners: "Thank you, Mr. Speaker. I always become a little worried when we ask about .. ask a State agency to make a subjective report on various businesses in the State of Illinois. I don't deny that a problem exists. However, we're asking the Department of Public Health to keep an evaluative file on all the homes that they inspect and I don't think that we want to have an evaluation made other than on the regular inspections which are public record of these various homes so that anybody who is interested would be able to take a look at them. The Sponsor has indicated that there are groups who support this but he ought to be aware, or you ought to be aware, that the Department of Public Health which this Bill would mandate to make these files available opposes this Bill. Now if you need another reason to vote against this I would suggest that probably all of these nursing homes Bills that we're dealing with in this Session in the House will probably get nowhere in the Senate, which has passed a very comprehensive Bill, which has the support of almost every element dealing with nursing homes in the State of Illinois. The first of those Bills, Senate Bill 316, has arrived in the House already and I believe there are at least one or two more Bills in that package coming over. And I think we could save ourselves a lot of time and trouble by just taking care of this Bill right here and now by voting 'no'."

Speaker Matijeich: "The Gentleman from Cook, Representative Marovitz, to close."

Marovitz: "Thank you very much. I'm also a Sponsor of those



Bills, those comprehensive Bills, that are coming over from the Senate and I've spoken to Senator Daily about this legislation which is important and in part is embodied in that comprehensive legislation. The Department of Public Health has supported this legislation in the past in past sessions. They are in support of the concept of this legislation. I've spoken to many Members of the Department of Public Health who feel that it is an important piece of legislation which is necessary for the people who are going to send friends and relatives in a nursing home to check the availability in the files to determine what the quality of that nursing home is, what the conditions of that nursing home are, and I think this is one of the most important pieces of legislation in the State of Illinois to clean up the nursing home situation and I ask for your affirmative vote."

Speaker Matijevich: "The Gentleman from Cook, Representative Marovitz, has moved for the passage of House Bill 192. The question is, 'Shall House Bill 192 pass?' Those in favor signify by voting 'aye' ; those opposed by voting 'no'. The Gentleman from Cook, Representative Collins , to explain his vote."

Collins: "Well, Mr. Speaker, if there's any field where we've had abuse in the past and probably right at the present time, it's in the field of nursing homes. But to put a Bill like this into law I think is ridiculous, to talk about more needless paperwork to clutter up files, which nobody would ever go and look at even though they are available to the public, this is just one more statute cluttering Bill that performs absolutely no needed service. I think it's ludicrous. You're going to have a new file in the Department on nursing homes which nobody except the bureaucrats will look at.... I just don't.... if you're going to attack a problem let's attack. Let's do something in a proper fashion. But let's not, let's just not indulge in self flogel-



...lation and more paperwork. This is a totally needless Bill  
and then let's reject it now."

Speaker Matijevich: "The Gentleman from Macon, Representative  
Borchers, to explain his vote."

Borchers: "To explain my vote, I have a 97 year old aunt in  
a nursing home. Now I put her there because I know  
what to look for and I did it. I just want you to know  
because of my own activities checking out nursing homes  
people call me all the time. 'What should I do with my  
old Grandmother?' Or whatever. And I... to a certain ex-  
tent, I'm able to tell them, in my area. But I don't know  
a darn thing about an area north of you say, 100 miles.  
But if the State and the Department has to maintain a  
record and you're smart enough to go check it out, you'll  
be able to evaluate the type of home you want to have your  
grandmother or grandfather, or whatever, in. Now this, to  
me, is an important function of the State. They...."

Speaker Matijevich: "Have all voted? Your minute's up..."

Borchers: "Ok. I'll close. It's an important function for the  
people to know where to put their old people. You yourself  
may be that one... be there one day. So vote for this  
Bill."

Speaker Matijevich: "Have all voted? Have all voted who wish?  
The Clerk will.... the Gentleman from Vermilion, Represen-  
tative Campbell, to explain his vote."

Campbell: "Well, Mr. Speaker, Ladies and Gentlemen of the House,  
I rise in opposition to this legislation and the reason  
I do, we wonder what drives the cost of health care up.  
This is one of the things that causes that. And not only  
that, let's concentrate on the bad homes and not put all  
these regulations and so forth on the good homes in the  
State of Illinois because many...most of the homes are good,  
but we should really concentrate by our inspectors and  
so forth and put the bad homes out of business. I ask for  
your 'no' vote."



Speaker Matijeovich: "Have all voted? Have all voted who wish?"

The Clerk will take the record. On this question there are 104 voting 'aye', 47 voting 'no', 10 voting present. And House Bill 192 having received the Constitutional Majority is hereby declared passed. House Bill 654, Sandquist. Out of the record. House Bill 808, Stuffle. Read the Bill."

Clerk Leone: "House Bill 808, a Bill for an Act to establish the right of public school employees to organize and bargain collectively. Third Reading of the Bill."

Speaker Matijeovich: "The Gentleman from Coles, Representative Stuffle, on House Bill 808."

Stuffle: "Yes, Mr. Speaker, and Members. House Bill 808 is, as you know, the future collective bargaining Bill. It covers the entire State of Illinois. It has been widely debated on this floor and in fact threw some 33 Amendments as I recall, a few days ago. It is supported as you know, by the major teacher organizations in this State. It has been 35 to 37 consecutive years that we have had a teacher collective bargaining Bill on the floor of this House. It is my opinion that the time has come for us to recognize the teacher collective bargaining and hopefully soon bargaining in the public sector as a whole as a reality that is systematic, that is statutory and that we recognize that we can no longer go on burying our heads in the sand in hiding from that reality. Hundreds of thousands of people in the public sector who happen to be educational employees are now deprived of a systematic program to allow them bargaining rights that their private sector counterparts already enjoy. I submit to you that if we do not pass this Bill, we will go on in the thousand and thirteen school districts in hundreds of other political subdivisions, where educators teach and others work in the educational programs without ways to resolve disputes without ways to prevent strikes, without ways to insure good faith bar-



gaining by labor and management. I submit to you also and I urge you to remember if you happen to be a Member of this side of the aisle, a Democrat, that the 1978 platform of the Democratic party in Illinois which I have in my hand, conclusively supports collective bargaining in the public sector. I urge you to put aside any doubt that you might have, fear of reprisal that you might have in voting for this Bill and stand up for the principles of that party, of our party if you're on this side of the aisle, and I urge as many as possible from the other side to stand up with us and see the light. Yes, Representative Peters, see the light and vote for House Bill 808."

Speaker Matijevich: "The Gentleman from Coles has moved for the passage of House Bill 808. The Gentleman from DuPage, Representative Daniels."

Daniels: "As one that has supported collective bargaining for teachers I'd like to ask the Gentleman a question whether or not he's made this a partisan issue. If so, I think maybe I ought to review my stand. I really don't care about your waving the Democratic party platform in your dialogue. Let's leave it to the issue right now."

Stuffle: "I would like to respond to your question Lee. I said ... well you asked me a question, I shall respond. I said I would urge the Democrats of this side to stand up for their platform, to urge all the Republicans who believe in collective bargaining as well to stand up with us. That's exactly what I said. I intended it not to be partisan indeed by supporting both sides, in requesting a vote from both sides. I ask for your support as a Republican as well as those of us on this side who happen to be Democrats."

Speaker Matijevich: "By choice. Further discussion? The Gentleman from Lake, Representative Deuster."

Deuster: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, this is a Bill that's absolutely unnecessary. My



wife is a school teacher and works at a school where they have a contract. They got that contract, they got their pay raise, they got all the benefits that they bargained for without Representative Stuffle's Bill. The teachers of this State and the school districts of this State have got freedom to negotiate. They can negotiate right now. They don't need this Bill. This Bill .. you could characterize it by calling... referring to the 3 C's; Cost, Compulsion, and Coercion. It is going to set up a costly State agency and bureaucracy that's unnecessary. It is going to provide the mechanism for compelling individual teachers to joining a union when they don't want to join one. It's going to suggest to those who don't want to join a union, they're going to have to pay the dues anyway. It is going to have a tendency to coerce teachers into joining unions where they don't need to and may not want to. And I suggest to you that if you go back into your Districts and talk to your individual teachers, as I talked to my individual wife and the other teachers that I know, this is a Bill that the individual teachers are not as so interested in as are the union organizers, those who want us to pass a Bill that will really legalize strikes and open the door for striking as everyone on this floor knows, striking right now is illegal although it takes place. What you would do if you voted for this Bill is you would take away an important tool that the community has, that the school district has, and that the people have, and that the taxpayers have, that when they've had enough, when they've has enough of the teachers walking out on the little children, when they've has enough, they can go to court and bring it to an end and get an injunction. They've done that in Kankakee; They've done that around the State. Why do you want to take away the right of the people to end a strike? Now, it is true that a School Board can tolerate a strike if the group of teachers choose to



leave your children and mine without instruction, to walk out on them, and if you want to encourage that, vote for this Bill. But I would say to you that this legislation is entirely unnecessary and what it will do is it will engender hostility and the adversarial atmosphere into the local school, where it doesn't belong. It's one thing maybe to have it in an automobile manufacturing plant, but where you're talking about little first grade children and kindergarden children, and those who come to school because they want to learn and in fact, in the lower grades, they fall in love with their teacher and for them to understand why their teacher walks out the door, because the State Legislature has legalized striking and provided the mechanism that encourages the use of the strike, is just wrong. We have a Constitutional obligation, the Constitution puts a burden on us to give the children of this State an education and not to interfere with that. That is why the courts of this State have consistently in case after case said that there is no right in the public school teachers to strike, to walk out on their professional responsibility and if you vote for this Bill, you are voting for striking, you're voting to legalize striking and you're voting for a Bill that is absolutely unnecessary and I would ask you to sincerely contemplate what education is all about. Is it to provide an adversary mechanism for school teachers to agitate for payraises or whatever?..."

Speaker Matijevich: "Bring your remarks to a close."

Deuster: "Is this to provide an education to the children? I think if you're for the children, if you're for freedom, you'll vote 'no' on this Bill. Thank you."

Speaker Matijevich: "From the other side of Lake County, Representative Pierce. Pierce."

Pierce: "Mr. Speaker, Ladies and Gentlemen of the House, I've thought over carefully my position on teachers collective bargaining. And I want to say to my colleague from Lake



County, not all teachers are fortunate enough to be married to a Member of the General Assembly with the compensation that we have plus maybe the law practice we have on the side. Some school teachers must live on what they make. In a free society in a Democratic society the school teacher should have the same right to collective bargaining as any other employee and a school teacher, although a professional, is a public employee of a school district. And so after reviewing this Bill carefully I've determined that we should have guidelines; We should establish a right, not mandate collective bargaining, but establish a right for school teachers in our State to bargain collectively with school boards. All school districts will not take advantage of that right. All teachers will not take advantage of that right, many will. And there'll be guidelines for both the Boards and the teachers in collective bargaining. But having said that and I say this to the IEA and the IFT, once we've established collective bargaining, then there's no reason for them to come around here every year with these Bills, dictating by statute who should be laid off first, who should be rehired first, in the case of reduction in force, to review economic circumstances of every district with a hearing officer or a hearing Board, to have a hearing officer for 1 or 2 year teachers that may be dismissed. There'll be no need for all this special legislation because it can be handled through collective bargaining. And once we have collective bargaining, there's no excuse at all for these type of Bills. Leave it to collective bargaining. You can't handle it both ways, Mr. IEA and Mr. Teachers Union, you can't have collective bargaining on one hand and then take everything out of collective bargaining by having this Legislature mandate which teacher is laid off first, which teacher is rehired first, which... which school district is economically in a condition to lay off teachers, which is not, that you can't



funds, you can't even loan funds and pay them back in a year from one fund to another. This type of dictatorship by the Legislature to the School Boards may have had some rationale in an area... in an era before collective bargaining, but once we establish collective bargaining, as I'm confident we will, and I'm going to support it, then let's leave all these other matters to free collective bargaining between the teachers associations and the school boards and let us not up in Springfield dictate everything that should be in the collective bargaining agreement. I'm voting 'aye' on this Bill and against many of these other Bills, even though they're supported by teachers organizations, because let's see how it works under collective bargaining. I believe that will solve most of these other problems."

Speaker Matijevich: "The Gentleman from Champaign, Representative Johnson."

Johnson: "Mr. Speaker, I move the previous question."

Speaker Matijevich: "The Gentleman from Champaign, Representative Johnson, has moved the previous question. The question is, 'Shall the previous question prevail?' All those in favor say 'aye', those opposed 'no'. And the previous question prevails. The Gentleman from Coles, Representative Stuffle, to close."

Stuffle: "Yes, let me begin in closing by again saying to Representative Daniels, I hope he did not take what I said in the wrong way. I think others didn't. They were aware of what I said. I don't mean this to be a partisan issue. I think it's an issue that crosses party lines and has crossed party lines for a long time. I point up the Democratic platform because I happen to be one. I'm sure Republicans who favor this measure are equally proud of their position. They know it's a tough one to take on either side on this particular Bill or any collective bargaining issue. I would urge your affirmative vote for many of the reasons sited



by my colleague, Representative Pierce. I would urge your affirmative vote because I think as I said before, the time has come to face reality. This Bill does not mandate strikes as some said. This Bill has provision after provision in a systematic manner to avoid strikes, to deal with impasses, to guarantee rights, not just teacher rights, but the rights of the Board to be free from interference by teachers in their side of the bargaining process. It adds protections for the public, injunctive relief, mediation, fact finding by mutual consent. There is no binding arbitration mandated in this Bill. It's permissive, if that ever occurs. Many of the fears and many of the arguments voiced against the Bill simply are not found therein. So I would conclude by saying to you and urging you again to cast an affirmative vote on House Bill 808. It may not be the most important Bill to you or to me. But it's important to hundreds of thousands of teachers and I think that you will see as other States have seen, not the process of more strikes if we put this into law but less, not the process of more problems, but the process of a systematic means of negotiations that covers all school districts, all universities, all community colleges, in a way so we know where we are going, so we don't have piece-meal actions in one district to another, different solutions in one district to another, so we don't make felons out of people who strike as a last resort. That's what the Bill is all about, not promoting strikes but preventing strikes. And for those reasons I would urge Democrat and Republicans alike to stand up and be counted to vote for House Bill 808."

Speaker Matijevich: "The Gentleman from Coles has moved for the passage of House Bill 808. The question is, 'Shall House Bill 808 pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. The Gentleman from DuPage, Representative Hudson, to explain his vote."



Hudson: "Thank you, Mr. Chairman, and Ladies and Gentlemen of the House. The Sponsor maybe well intended and he may tell you that the passage of this Bill will not result in strikes in the State of Illinois, but I'm going to suggest to you in explaining my 'no' vote that we will see strikes and we'll see more strikes. If we don't have strikes the reason we don't have strikes is that the unions whatever the union may be, the exclusive bargaining agent may be, gets its way. And I'm going to say to you that cost of education will skyrocket and will spiral out of control and any attempt to hold the educational budget in the State of Illinois will go down the drain as a result. There's one other thing I want to bring to your attention and that is, that I think it's entirely wrong for this Body to delegate a portion of its sovereignty vested in it by the people and we as elected Representatives...."

Speaker Matijevich : "Bring your remarks to a close. Your minute's up, George."

Hudson: "Permit an exclusive bargaining agent to speak for all the people in the State of Illinois, who have an equal right to say what salaries may be, what the conditions may be in the schools, it is wrong. It is wrong for this Legislature to permit or to give the power and authority to an exclusive bargaining agent and make one union, whatever union that may be, co-equal, with the State of Illinois. This in principle is absolutely wrong and I urge you, Ladies and Gentlemen of this House, to think what we are doing. We are setting up..."

Speaker Matijevich: "Bring your remarks to a close now."

Hudson: "I will conclude right now, Mr. Chairman. It is wrong for us to bring in the unions as co-equal with the elected Representatives of the State of Illinois in these affairs. It involves our taxpayers... I urge you to vote 'no'.

Speaker Matijevich: "The Gentleman from McHenry, Representative Hanahan, to explain his vote. One minute. We're going to



have to start the timer from now on. We're killing a lot of time."

Hanahan: "Ladies and Gentlemen of the House, I apologize for the condition of my voice. I want to stand up in support of House Bill 808, like to inform the Membership that this Bill, even though it only pertains to the teachers and the educational insitutions, is deserving of your vote. I say to those Members that have some fears that an avalanche is coming, whether you know it or not, it's coming. And whether you want to have anything to say about it, you better turn around and lead it because whether you vote for House Bill 808 or 800 or any of the other collective bargaining Bills, it's a fact of life in Illinois, you have collective bargaining. Now you can say there isn't and stick your head in the sand like an ostrich and get kicked in the seat. But the fact is collective bargaining is here, collective bargaining needs some constraints. And those of you who feel some fears of runaway expenditures, let me point out, there's a greater fear that you better have and that's the fear of frustrated teachers trying to teach your kids and give an education to your children under the frustration that they will not have the ability to earn a decent living. And I urge a favorable vote."

Speaker Matijevich: "It just turned off. The Gentleman from Lake, Representative Griesheimer, to explain his vote. The timer's on."

Griesheimer: "Thank you, Mr. Speaker. I would suggest to one of the prior proponents of this Bill that if the teachers union truly represented all the teachers many of the things that they said would be correct, which they don't, they've rejected every right to a work Amendment to this Bill. This would be a means of budgeting teachers into a union which doesn't really protect the rights of the teachers but rather protects the rights of the union. I think this is wrong. This would propel us right into the New York



City syndrome, where we would have more obligations, no money to pay it and poorer and poorer education. To the Sponsor of the Bill that says that this is a Bill that crosses party lines, I would suggest to him that this is a Bill that double crosses the public."

Speaker Matijevich: "The Gentleman from Cook, Representative Kelly, to explain his vote. The timer's on."

Kelly: "Thank you, Mr. Speaker, Members of the House. I feel that our.. the Sponsor, Larry Stuffle and Tom Hanahan, have point out that collective bargaining is a reality. It is occurring and that in the past there have been and there will continue to be strikes and that this Bill would not have any effect on that except to make that permissive. I have a Bill coming up on Short Order which relates to this subject. It doesn't have a right to strike; This one does. And I support the concept. I feel that teachers should have this into the State Statutes. We should join our fellow states around Illinois in having a collective bargaining Bill and I therefore am pleased to support Representative Stuffle's House Bill 82.... House Bill 808."

Speaker Matijevich: "The Gentleman from Wayne, Representative Robbins, one minute to explain your vote. "

Robbins: "I think one of the things that we have overlooked in this Bill is that it creates a new super regulatory power at a salary a good bit more than the Legislatures it takes the power.. the right of the school board away. It takes the right of the State Board of Education away and I believe it takes the right of the teacher away."

Speaker Matijevich: "The Lady from Champaign, Representative Satterthwaite, to explain her vote. One minute."

Satterthwaite: "Mr. Speaker, and Members of the House, those of you who cry, 'Strike, strike, strike', and are afraid to put something in the statutes recognizing that right really are not in touch with reality. We have strikes right now. This Bill will provide us with the mechanisms to try



to avoid strikes. Many safeguards are built into this legislation, none of us want to have our teachers out on strike, but this Bill will go a long toward preventing those strikes. I urge your support for this Bill so that we can have negotiations occurring that will settle disputes in a reasonable fashion. "

Speaker Matijevich: "The Gentleman from Cook, Representative Schlickman, to explain his vote. The timer's on."

Schlickman: "Mr. Speaker, Members of the House, in explaining my 'no' vote I want to assure you that I am for unionization and I am for the principle of collective bargaining. However, I am against the fractionalization of public employees. I'm against a Bill that provides for no detailed criteria for establishing appropriate bargaining units. I'm against a Bill that makes no meaningful distinction between non-supervisory employees and supervisory employees. I am against a Bill that does not assure to school boards certain basic managerial rights such as determining class size, such as determining textbooks, and Mr. Speaker, Members of the House, I am very much against a Bill which for the first time in this State would acknowledge and would set forth as a matter of public policy the right of public employees to engage in work stoppages, strikes, and thereby disrupt the classroom. And for those reasons I vote 'no'."

Speaker Matijevich: "The Gentleman from Cook, Representative Taylor, to explain..."

Taylor: "Thank you, Mr. Speaker, I rise for the purpose of an introduction. We have here with us the students from Willmington High School in the 43rd District, represented by Minority Leader, Representative George Ryan, Representative McBroom and Representative Christensen. Sitting in the gallery here."

Speaker Matijevich: "The Gentleman from Bureau, Representative Mautino, to explain his vote."

Mautino: "Thank you, Mr. Speaker, and Ladies and Gentlemen of



the House.."

Speaker Matijevich: "That should finish the explanations."

Camera lights are off."

Mautino: "Then let me continue, Mr. Speaker. If I may I find it very interesting that many people on both sides of the aisle say that they favor collective bargaining. And yet they don't want to give it to the General Assembly or into the statutes. What we do in the State of Illinois is to allow Department heads and executive officers to collectively bargain, yet we in the General Assembly do not have any input into that project or that system. I think it's important that we do, whether it be in education or any other form of public employees. What does bother me though is the fact that many people say that they are for collective bargaining but they're not for this type of Bill. In my estimation that's like saying that I'm just a little bit pregnant. You know what I mean? You either can or you cannot be. And I.. I understand that the exec...."

Speaker Matijevich: "The.. time's up. The Gentleman from Cook, Representative Huskey, to explain his vote."

Huskey: "Well Mr. Speaker, in explaining my 'no' vote, there's one thing that we haven't mentioned, that each one of our districts, our school teachers are represented by their own peers, by their school boards in their own neighborhoods. And I have... I have the first school board to come to me and say, 'Representative, we want collective bargaining'. When these local school boards come to us and ask us, and they're the elected Representative, they're elected by you in your own specific neighborhoods. When those people come to me and say they want collective bargaining, then that's when I, as their Representative, will vote for collective bargaining. But until then my vote is 'no'."

Speaker Matijevich: "The Gentleman from Winnebago, Representative Hallock, to explain his vote. Timer's on."



Hallock: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I strongly support the concepts in this Bill, but I also believe that when teachers strike only the students suffer and accordingly I must vote 'no' on this Bill."

Speaker Matijevich: "The Gentleman from Macon, Representative Borchers, to explain his vote. One minute."

Borchers: "I want to point out to the fellow Members of the House that over in England we have a perfect example of the danger and the power of the unions. Now that is progressing here. I don't mind to a certain degree the power of the unions as long as it has nothing to do with public employees of any sort. Three great dangers to our Democracy in this country right now is the bureaucracy, the worst, the power of the unions, the second, and the price fixings of the great corporations. So I would advise you to vote 'no' for the future of our own land."

Speaker Matijevich: "The Gentleman from Coles, the Sponsor of the Bill, Representative Stuffle, to explain his vote."

Stuffle: "Yes, just briefly, Mr. Speaker, and Members. I notice that there are 64 people who aren't on the Roll Call, either 'yes' or 'no' and I would hope that you would vote your convictions on this and get on one way or the other. I know some would vote present because they do have mixed emotions, but those who are not voting at all I would hope that they would see fit to vote red or green on as important as issue as this and I would again urge an affirmative vote for all the reasons sited by the proponents of this measure."

Speaker Matijevich: "Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 82 'ayes', 48 'nays', and 16 voting present. Representative Stuffle requests a poll of the absentees. Clerk will poll the absentees. The Gentleman from Winnebago, Representative Simms, for what purpose do you rise?"



Simms: "If this should receive 89 votes, I...."

Speaker Matijevich: "We've already got a request from Representative Deuster on that for a verification. Poll of the absentees."

Clerk Leone: "E.M. Barnes. Bianco. Braun. Bullock. Capparelli. Conti. Cullerton. DiPrima. Domico."

Speaker Matijevich: "One moment. Representative Cullerton."

Cullerton: "Mr. Speaker, how am I recorded?"

Speaker Matijevich: "How is the Gentleman recorded?"

Clerk Leone: "The Gentleman is not recorded as voting."

Cullerton: "Vote me 'aye' please."

Speaker Matijevich: "Cullerton 'aye'. First wave."

Clerk Leone: "Doyle. Ewell. Farley. Gaines. Goodwin.

Emil Jones. Keane. Kornowicz. Kozubowski. Lechowicz.

Leon. Margalus. Kulas. Piel. Ronan."

Speaker Matijevich: "The Gentleman from Cook, Representative Piel."

Piel: "Thank you, Mr. Speaker. How am I recorded?"

Speaker Matijevich: "How's he recorded?"

Clerk Leone: "The Gentleman is not recorded as voting."

Speaker Matijevich: "Not recorded."

Piel: "Please vote my 'nay' please."

Speaker Matijevich: "Record him as voting 'no'."

Clerk Leone: "Skinner. Terzich. Vinson. Vitek. Yourell."

Speaker Matijevich: "Yourell 'aye'. One moment."

Clerk Leone: "Mr. Speaker. And Williams."

Speaker Matijevich: "Williams 'no'. If any other... are there any other Members who desire to be recorded? The Gentleman from Cook, Representative Bullock."

Bullock: "Mr. Speaker, how am I recorded?"

Speaker Matijevich: "How is the Gentleman recorded?"

Clerk Leone: "The Gentleman is not recorded as voting."

Bullock: "Record me as present."

Speaker Matijevich: "Record Bullock as present. He's here.

Are there any other Members? Give me a count. 84 'aye'.



50 'no', 17 present. And this Bill having failed to receive the Constitutional Majority is hereby declared defeated. The next Bill is House Bill 826."

Clerk Leone: "House Bill 826, a Bill for an Act to add Sections to the School Code. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Kelly, on House Bill 826."

Kelly: "This .. thank you, Mr. Speaker, Members of the House. House Bill 826 is also a collective bargaining Bill for teachers. I suppose this is the day for this legislation. However, I'd like to point out that this Bill does not go as far as the last Bill, a matter of fact, House Bill 826 does not mandate binding arbitration. There is no provision in here for a right to strike. It's about as close to being a very permissive Bill. In fact, in Committee there was a vote of 16 to 1. There wasn't any opposition. I would like to point out particularly from the Illinois School Board Organization or from anyone else for that matter. This... the concept in here is very easy to accept. I think it would get collective bargaining off the backs of those who have been objecting to it and I feel it would be particularly beneficial to the school teachers of Illinois. I ask for your favorable support."

Speaker Matijevich: "The Gentleman from Cook has moved for the passage of House Bill 826. On that the Gentleman from Champaign, Representative Johnson. The Gentleman from Champaign, Representative Johnson has moved the previous question. The question..... Well I can't help it. Just vote 'no' on the previous question. The question is, 'Shall the main question now be put?' All in favor signify by saying 'aye', opposed by saying 'no'. And the previous... All in favor signify by voting 'aye' on the previous question; opposed by voting 'no'. This is on the previous question. Let's not explain our vote on previous question. Have all voted? Have all voted who wish? Clerk will take



the record. There are 95 voting 'aye', 44 'no' and the previous question prevails. The Gentleman from Cook, Representative Kelly, to close. That wasn't too bad."

Kelly : "Thank you, Mr. Speaker, and Members of the House. I once again point out that this legislation is totally a permissive Bill. It does not mandate anything to the school Board organization. It does not mand.. anything to the .. to the leadership. I'd like to also point out that our leader of our Democratic party, George Dunn, had publicly indicated at least in the information provided to the news media that he was in support of collective bargaining at least in some terms. This particular piece of legislation should not have any opposition from Mr. Dunn or from the Democrats from Chicago, and I assume will have that opposition but it's a very permissive Bill and I ask you to support it."

Speaker Matijevich: "The Gentleman has moved for the passage of House Bill 826. The question is, 'Shall House Bill 826 pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. The Gentleman from Winnebago, Representative Simms, to explain his vote."

Simms: "Well Mr. Speaker, Ladies and Gentlemen of the House, in explaining my 'no' vote; this Bill is deliberately a vague and as permissive and is probably a vehicle Bill and it's basically a foot in the door that permits public and elementary and secondary school teacher to join public organizations and unions which can be later Amended to do the same things as the previous Bill which was defeated by the House of Representatives. This legislation very basically takes away the right of the individual school district to control the destiny of their own employees. It could be a shallow Bill and it is a shallow Bill to the extent that it can be Amended and be as bad as the previous Bill which was just defeated and for these reasons I urge



a 'no' vote."

Speaker Matijevich: "Have all voted? Have all voted? Have all voted who wish? The Gentleman from Lake, Representative Pierce, to explain his vote."

Pierce: "Mr. Speaker, I know it's unusual but I want to explain my vote on the motion for the previous question and now we see the reason why. It's wrong <sup>that</sup> not one person can speak in opposition to a Bill. Had someone spoken in opposition to the Bill Representative Kelly could have then replied in his closing argument and cleared up a lot of these questions people might have on the Bill. Even on Short Debate we allow one person to rise in opposition to a Bill and this isn't on Short Debate so it's really just unfair to the proponents of the Bill not to let someone rise up and oppose it..."

Speaker Matijevich: "You're out of order. You're not explaining your vote. The Gentleman ...."

Pierce: "I want to explain it on the motion for the previous question...."

Speaker Matijevich: "The Gentleman from Cook, Representative Kelly, to explain his vote."

Kelly: "Mr. Speaker, and Members of the House, I would have preferred that we would have some debate on House Bill 826. This is a totally opposite concept from the Bill that you voted on shortly, a short time ago. This is apparently going to receive the same vote and I therefore ask that it be placed on the Consent...."

Speaker Matijevich: "...on what?"

Kelly: "Consent Calendar.... Postponed Consideration...."

Speaker Matijevich: "Short debate.... You need a couple more votes. Have all voted? Have all voted who wish? The . . . does the Gentleman have leave to place this Bill on Postponed Consideration? Leave and House Bill 826 will be placed on Postponed Consideration... Next Bill, House Bill 191, Marovitz. Postponed Consideration.. House Bill 191, read



the Bill."

Clerk Leone: "House Bill 191, a Bill for an Act requiring nursing homes, shelter care homes, and homes for the aged to train certain employees. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Marovitz."

Unknown: "God bless Mayor ....."

Marovitz: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This is the nurses home employees training Act which by all testimony is a Bill which would provide training to those people who care for our friends and relatives in the nursing homes and those who are unable to take care of themselves. Presently those people providing those personnel providing personal care service, there are no training requirements whatsoever for these personal.. for these people. And this Bill would mandate that there are.. that there's training provided for these individuals who deliver personal care to individuals in nursing homes. Those experts in the field feel that this is one Bill which would do more than anything to lift the quality of care in nursing homes throughout the State of Illinois. In the comprehensive Bill Sponsored by Senator Daley that is coming over from the Senate there is a provision that is very very similar to this in Senator Daley's Bill. The Department of Public Health testified in support of this legislation in Committee. The Lieutenant Governor thought this concept was important enough to Sponsor comprehensive legislation on this subject which is presently in Interim Study. It's even broader than this legislation. There's no substitute for quality staff to improve the level of care. There's nothing more important than the level of care that people have who deliver direct contact and direct service to individuals in nursing homes. If you care about the level of care, the quality of care of individuals who have to treat friends and relatives in nursing



homes and citizens across the State of Illinois, this is one Bill which would mandate training and provide for an uplifting of the quality of care in our nursing homes across the State. It was referred to in all the media exposés that have dealt with the problem in nursing homes and I would ask for an 'aye' vote on this important legislation."

Speaker Matijevec: "The Gentleman from Cook, Representative Marovitz, has moved for the passage of House Bill 191. On that the Gentleman from Will, Representative Kempiners."

Kempiners: "Thank you, Mr. Speaker. I really have no major problem with this type of legislation but I think the key point in what the Sponsor said is that the comprehensive legislation, Sponsored by Senator Daley has a similar provision. And I think when that legislation comes over here you will find that Senator Daley worked very closely with everybody involved in the whole nursing home situation both public agencies, private providers, not for profit homes, and various groups that were concerned with the issues we're facing here. And I think you'll find that his Bill is generally accepted by all those groups and I think we can do ourselves a favor, we can save the taxpayers money if we just keep this Bill in the House and address this problem if indeed there is a similar provision in Senator Daley's package, address it there. I think we'll save ourselves some time here and the Senate certainly won't have to make the effort to kill this Bill which they'll probably do as long as Senator Daley's package has us in so, like I said, I've got no problem with the concept but I think we can save ourselves a lot of time just by keeping the Bill in the House."

Speaker Matijevec: "The Lady from Cook, Representative Chapman."

Chapman: "Mr. Speaker, and Members of the House, this is House originated legislation. I surely would not expect any House



Member to wait on what the Senate has done before we Act on House measures. I'm pleased Senator Daley's comprehensive Bill has passed in the Senate and has come over to the House. There is much in this Bill to commend it. But Ladies and Gentlemen, if you were going to vote for one nursing home Bill this year House Bill 191 is the one you should support because this addresses the most pressing need that we face in providing quality of care for nursing home residents, that is the training of personnel who work in these homes. I surely hope that you are going to support other legislation from the Senate that merits support that may be on this floor and I hope will be on this floor later on in the Session, but in the meantime, vote 'yes' on House Bill 191."

Speaker Matijevich: "The Gentleman from Marion, Representative

Friedrich."

Friedrich: "Mr. Speaker and Members of the House, I don't know the nursing home in my district that doesn't have training programs for their unlicensed people there other than the nurses and so on. Now I can see down the road and what you're doing is setting up 20 more people in the Department of Health to set up training programs and to write up these people because the training program doesn't happen to suit some little bureaucrat in the Department of Health. If you want to add a whole bunch more paperwork and expense to your nursing homes, go ahead and vote for this Bill."

Speaker Matijevich: "The Lady from Cook, Representative Willer"

Willer: "Yes, Mr. Speaker, if the Gentleman from Marion would like to come to 6th District, I can show him nursing homes that don't have any training programs. This is one of the major scandals in the nursing homes, really bad care because the personnel is not trained. I think this is one of the best Bills to come before the House. Certainly we're always going to hear about another layer of bureaucracy, or causing more bureaucratic work, raising the cost of the nursing homes... well when measure against the misery, the



suffering, the terrible care people get in nursing homes, in Cook County, I.. you know, it's just absolutely not even to be reckoned with. This is a Bill that says we care about people, the most helpless, the elderly, and it deserves our whole hearted support."

Speaker Matijevich: "The Gentleman from Cook, Representative Terzich,.. or DeKalb rather, Representative Ebbesen."

Ebbesen: "Mr. Speaker, I move the previous question."

Speaker Matijevich: "The Gentleman from DeKalb, Representative Ebbesen, has moved the previous question. The question is, 'Shall the main question now be put.' All in favor say 'aye'; opposed 'no' and the previous question prevails. The Gentleman from Cook, Representative Marovitz, to close."

Marovitz: "Some brief history of this legislation which was passed by the House last year before it ever came up in the Senate.... this is the result of a task force which a House Subcommittee investigated and called on the nursing home providers, the nursing home industry, the Departments of Public Health, Public Aid and Mental Health in the State of Illinois, HEW at the Federal level, the FBI, the BCA, all investigating this entire nursing home area, this is one of the pieces of legislation that came from that House investigation. I think the most important point that I could make is that throughout this State, and I think that Representative Friedrich is fortunate if their are no homes in his particular District that have this problem but throughout this State, there are people that are dealing with our friends and our relatives who come off the street and are totally untrained and are dealing personally with people in the nursing homes. If you want to uplift the quality of care in nursing homes this is the Bill to do it and I ask for a green vote."

Speaker Matijevich: "The Gentleman from Cook, Representative Marovitz, has moved for the passage of House Bill 191. The question is, 'Shall House Bill 191 pass?' Those in favor



signify by voting 'aye'; those opposed by voting 'no'. The Gentleman from Madison, Representative Steele, to explain his vote."

Steele: "In explaining my 'no' vote I'd like to point out that many of these people have not gone past the fifth grade. This is the type of job that people trying to get into the job market, they haven't had much schooling and they really don't have much training but many of them can't spell. But they sure can make a bed. They sure can help a patient to the cafeteria to get food. They sure can sweep the floor in a nursing home. And most of these nursing homes have their own in-house training. But what I'm saying is you're going to remove a lot of people from the job market. We say we have unemployment, we say people can't get jobs. Now we're going to require that they go through a certain amount of training so they're not going to be qualified to sweep a floor. They're not going to be able to get these jobs to make beds. I tell you that it's personal tender loving care that's important here. It's not a set of rules and regulations and I think we're going to remove a lot of people from some very basic kinds of jobs where they can do a very good job in giving tender loving care to these people and we're going to say that because you can't spell, because you can't pass a test, you're not going to be able to make these beds and give the kind of personal attention these people need. I think it's a 'no' vote because I think it's a bad Bill. It's going to remove a lot..."

Speaker Matijeich: "The Lady from Sangamon, Representative Oblinger, to explain her vote."

Oblinger: "Mr. Speaker and Members of the House, in the year and a half I was at the Department on Aging, this is one of the greatest needs that was ever demonstrated to us. The courses that are to be set up are not courses on how to read, write and spell. They're on how to make a bed properly,



how to cook properly, proper sanitation, but even for the tender loving care, we want to have a course, or courses on understanding the elderly. These young people who come in are impatient, they yell if the people are repeating themselves. We know older people do that. I do it, you do it. They don't like to have to clean up after they've eaten. This is a course on attitudes and love and it's also on how to deal with the personal care of the elderly people day in and day out. Even ...."

Speaker Matijevich: "The Gentleman from Cook, Representative Taylor, for what purpose do you rise?"

Taylor: "Thank you, Mr. Speaker. I rise to support this Bill. It's a good Bill. We need this legislation. I urge all of my supporters to support Representative Marovitz."

Speaker Matijevich: "Have all voted? Just a minute. Your light doesn't work. Representative.... from Macon, Representative Borchers, to explain his vote. The timer's on."

Borchers: "I may have spoken about this once before, but the worst case I've run into was one night at 8:00 o'clock when I went to the 4th floor of a certain nursing home and I found 2,18 year old girls without any training taking care of 52 incompetent old people. They knew nothing. The dried urine was on the floor and they were laying in their own filth. This kind of Bill will help correct that terrible situation. It should be voted for."

Speaker Matijevich: "Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye', no 'nos', 11 present. And House Bill 191 having received the Constitutional Majority is hereby declared passed. Next Bill, House Bill 310, Sandquist."

Clerk Leone: "House Bill 310, a Bill for an Act to add Sections to an Act relating to alcoholic liquors. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Sandquist, on House Bill 310."



Sandquist: "Yes, Mr. Speaker, and Ladies and Gentlemen of the House, House Bill 310 is really a very simple Bill. We had a lot of debate several weeks ago about the drinking age in Illinois. We had various Amendments put on that Bill. What House Bill 310 does is to take the one issue that of uniformity of drinking age and make it preemption right of the State, whatever we say it is, it's going to be the same throughout the State. That's all my Bill does. Whether you're for one age or for another, I think it's important that we have one of uniformity. All this talk about accidents which are caused by people drinking and driving when we have differences in the age, that's what's going back and forth and the driving occurs. So what this Bill does is just to say very simply that we preempt it; That the right is what we say it is here it's going to be throughout the State of Illinois and I ask your favorable support."

Speaker Matijevich: "The Gentleman from Cook, Representative Sandquist, has moved for the passage of House Bill 310. On that, the Gentleman from Cook, Representative Yourell."

Yourell: "Yes, would... thank you, Mr. Speaker. Would the Gentleman yield to some questions? Yes? Under House Bill 310, what would be the status of those home rule units in Illinois that have raised the drinking age to 21?"

Sandquist: "What 310 does says whatever we say down here is the law, so we would have to ... what we pass is the law. If those who have raised it, the home rule units, then they would have to be... go back.... it would go to what the State law is."

Yourell: "Well, what is the State law?"

Sandquist: "Well, there's a number of Bills pending. Right now the State law...."

Yourell: "What does the State law.... what is the State law as defined in your Act?"

Sandquist: "In my Bill there's no definition of what the age is."



That's not in 310. That's our determination to make but it's a separate issue from the preemption one. And you know right in your area, Representative Yourell, where you've got one community that's drinking at 19 and another one at 21, that's where they're going back and forth and to have one side of the street one thing and the other side the other, that's what's bad."

Yourell: "Well that's right. That's what House Bill 21 did. It made the State power exclusive, irrespective of any home rule unit or non-home rule unit in Illinois. If my, if our Bill passes in the Senate the drinking age in Illinois will be 21 throughout the State without exception and that's what you're trying to do but I think what you want to do is make the drinking age 19."

Sandquist: "I do not want to make that 19. I want our determination to be the same throughout the State and that's what this does. There's no age in this Bill."

Yourell: "Well how in the world can you pass a Bill that doesn't determine an age? "

Sandquist: "Because this is the ... one of the few things where I believe we should preempt the home rule. It does not preempt the.. Dram Shop Act. It just for this one single issue, what the age of drinking should be and I just think it should be the same throughout and we shouldn't allow one community to change it, whether it's for home rule or for what other reason. We should determine it down here. We should have the guts to say what it should be and vote accordingly. It's a separate issue. Your Bill was...21 was combined, you put both of things in. That causes problems."

Yourell: "No, you're mistaken, Representative. House Bill 21 when it left the House had a State-wide jurisdiction. It preempted home rule units and that was a matter of great debate and discussion on the floor of this House, whether... how many votes it took to preempt a unit of home rule in



Illinois. When that Bill passed out of this House, some weeks ago, House Bill 21, it said that the drinking age would be 21 throughout the State, regardless, regardless of what the home rule ordinance might say. And so we do have, with the passage of House Bill 21 out of this House, a State-wide drinking age at 21. What happens to that Bill in the Senate, I don't know. Senate Bill 2 has passed out with a vote of 38 and is in the House today and I am the Chief Sponsor of that legislation and what that Bill does is says that home rule units can lower or raise the drinking age from 21. So I don't know what value your legislation really is when we have the two Bills already working through the House and the Senate and I would ask you to defeat this. Cast a 'no' vote on House Bill 310 because all it does is cloud the issue. We have two very definitive Bills, House Bill 21 and Senate Bill 2, that have moved out of their respective Houses and now are in the opposite House."

Speaker Matijevich: "The Gentlemen from Cook, Representative Piel."

Piel: "Thank you, Mr. Speaker. A question of the Chair, 'Can you tell us how many votes this will need for passage?'"

Speaker Matijevich: "89. The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Will the Sponsor yield for a question?"

Speaker Matijevich: "Indicates he will."

Satterthwaite: "Representative Sandquist, the remarks of the current Speaker on this issue seem to be in variance with what the Speaker of the House who was in the Chair at the time we passed House Bill 21, what he indicated. But I'm going to ask a similar question of you as I asked of the Speaker that other day, in your opinion what would be the status of local ordinances which had been passed previous to the passage of your Bill if your Bill becomes law? Will this Bill essentially nullify those local ordinances that have been previously adopted before your law goes into effect?"



Sandquist: "Are you asking me this or the Chair?"

Satterthwaite: "I'm asking you what you feel the effects of your Bill will be if it passes into law in regard to home rule ordinances that have been passed previous to the passage of this Bill."

Sandquist: "Well that final determination would have to be by the courts and I certainly don't want to preempt what the Supreme Court would finally say. But what I would like to see and that's what my Bill is trying to do is that the age of drinking is the same throughout the State, so if those home rule ordinances, and this is my own belief, if they are different from the State law then I think they should be out. And I think we should determine it here and all this stuff, just what rubs on what Yourell ... Yourell's just said about giving the home rule the authority to change it back, don't you see what you're doing? You're creating the same kind of driving problems and lack of uniformity in this very important field and therefore I think that it's important to have it the same throughout."

Satterthwaite: "Well, Mr. Speaker, if I may speak to the Bill.."

Speaker Matijevich: "Proceed."

Satterthwaite: "I think that we are in a difficult situation now where we can try by a vote of 89 to undo home rule powers that were previously in effect before Bills of this sort are considered. It's not clear to me. It apparently was not clear to the Speaker on the day we Acted on the other measure and the Sponsor of this Bill indicates that the decision would have to be up to the courts. So apparently he is not sure either that a passage of a Bill of this sort would nullify ordinances in effect before the passage of this legislation. And so while I can respect the intent of the Sponsor in trying to pass legislation of this sort to make uniformity State-wide, I'm not convinced that we will have uniformity even if this Bill passes and I urge a rejection of this Bill because I feel we cannot by a simple



Majority overrule what we have given to home rule units in the past."

Speaker Matijeich: "The Gentleman from Kane, Representative Schoeberlein."

Schoeberlein: "Mr. Speaker, I would move the previous question."

Speaker Matijeich: "The Gentleman from Kane, Representative Schoeberlein, has moved the previous question. The question is, 'Shall the main question now be put.' All in favor signify by saying 'aye'; opposed by saying 'no'. The previous question prevails. The Gentleman from Cook, Representative Sandquist, to close."

Sandquist: "Yes, thank you, Mr. Speaker. It's a very simple matter. All this is trying to do is to get one uniform age throughout the... throughout the State for drinking. I think it would be the same throughout, whatever we determine down here. That's my honest opinion and I believe we would have uniformity. I think uniformity is very important in this field and therefore I urge an 'aye' vote."

Speaker Matijeich: "The Gentleman from Cook, Representative Sandquist has moved for the passage of House Bill 310. The question is, 'Shall House Bill 310 pass?' Those in favor signify by voting 'aye'; opposed by voting 'no'. Takes 89 votes. To explain his vote, the Gentleman from Cook, Representative Schlickman."

Schlickman: "Mr. Speaker, and Members of the House, when we passed House Bill 21 we passed it with Amendment #4 offered by the Majority Leader. Amendment #4 is practically identical to House Bill 310. So previously we did adopt as a matter of public policy that the establishment of a drinking age be an exclusive State function. Now reference was made to Senate Bill 2. Senate Bill 2 does not have that provision in it. To the contrary, Senate Bill 2 would allow a unit of local government by an ordinance to have a contrary drinking age. Seems to me Mr. Speaker, Members of the House, we should understand that there's often a slip between the cup and the lip. And if we want to assure



uniformity with respect to a drinking age, we ought to pass House Bill 310 and I would like to add, Mr. Speaker, Members of the House, in my opinion, the passage of 21 as Amended or House Bill 310 would make illegal a nullity any existing ordinances by home rule units because we can give and we can take away. Units of local government are still creatures of the General Assembly. I urge an 'aye' vote."

Speaker Matijevich: "The Gentleman from Cook, Representative Bluthardt, to explain his vote."

Bluthardt: "Well, Mr. Speaker and Members of the House, as I read this Bill, or understand it, the present age permissible age for drinking is 19. That's for beer and wine I suppose, I believe. And if this Bill passes what we're going to do is establish that as the age across the State as the minimum drinking age. I think it's wrong. I think that the people of this State want to raise that age back to 21 where it used to be. And for that reason I would urge you not to vote in favor of this Bill. We hear about Senate Bill 2 and the other Bill of Bus Yourell, House Bill 21, there's also another Bill and that's mine. That's House Bill 1270 that I have held in reserve in the event that the 21 year old drinking age across the board ...."

Speaker Matijevich: "Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 82 'ayes', 52 'nos' 3 present and the Gentleman from Sand.... Cook, Representative Sandquist. This Bill having... Postponed? This Bill having failed to receive the Constitutional Majority is hereby declared lost. Oh... Wait I'm sorry. That's what I was trying to ... does he have leave to place this on Postponed Consideration? Leave and House Bill 310 will be placed on the order of Postponed Consideration. House Bill 429, Kornowicz. Read the Bill."

Clerk O'Brien: "House Bill 429, a Bill for an Act to provide for safety of amusement rides and to provide for their licensing.."



Speaker Matijevich: " Out of the record. House Bill 563, Mahar.  
Read the Bill."

Clerk O'Brien: "House Bill 563, a Bill for an Act to Amend Sec-  
tions of the Illinois Purchasing Act. Third Reading of  
the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative  
Mahar, on 563."

Mahar: "Thank you. Thank you , Mr. Speaker, and Ladies and  
Gentlemen of the House. House Bill 563 Sponsored by my-  
self and Representative Emil Jones and others on the House  
Committee that spent some time last summer studying the  
prison system is a Bill which is a recommendation of  
the Committee that spent some time in the prisons last summer.  
It provides that the Department of Corrections shall be  
exempt from the provisions of State Purchasing Act for any  
project under \$25,000 for inmate labor as used. The pre-  
sent exemption is \$2500. It also provides the Capital  
Development Board will not be using their engineering and  
architectural work in this type of a project. Now the  
reason for this is we found that as one of the problems  
that there was a tremendous amount of idle time in the pri-  
soners, in the prisons and a lot of these people were not  
able to do anything. So here we have something that's  
permissive which is in the minds of the prison authorities  
that people can be put to work easily, that something  
will happen to help the prisoners relieve some of their  
idle time and some of their tensions. As we all know,  
there's been tremendous tension in our prison system and  
anything that we can do to help these prisoners who want  
to do their time and get out, I think should be the nature  
of our... of the State Administration to do that type  
of thing. I... we... this Bill was Amended and the Amend-  
ment might add, Mr. Speaker, that the Digest shows that  
Amendment #3 was adopted. However, that is not true. Amend-  
ment #3 was not adopted to the Bill . I'd be happy to



answer any questions and I would urge your support."  
 Speaker Matijeich: "The Gentleman from Cook, Representative Mahar, has moved for the passage of House Bill 563. If there is no discussion the question is, 'Shall House Bill 563 pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 148...50 'ayes' 1 'nay', 5 voting present. And House Bill 563 having received the Constitutional Majority is hereby declared passed. House Bill 573, Ewing. "

Clerk O'Brien: "House Bill 573, a Bill for an Act to Amend Sections of the Illinois Income Tax Act. Third Reading of the Bill."

Speaker Matijeich: "The Gentleman from Livingston, Representative Ewing, on 573."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, this is the Bill that's been in the House for some months now and it purely provides that it's a hold harmless for those businesses in Illinois which failed to live up to the mandate of this Legislature during the period from January 1, 1978 to January 12th, 1979, as far as withholding income from out of state residents. It does not change the tax law in the regard to the obligation of these people to pay tax on this income, but it only says that those people who failed to withhold the tax as required by the law at that time, will not be penalized by the State of Illinois. And I would ask for your approval of this Bill."

Speaker Matijeich: "The Gentleman from Livingston, Representative Ewing, has moved for the passage of House Bill 573. On that, the Gentleman from Cook, Representative Mugalian.

Mugalian: "Thank you, Mr. Speaker; Ladies and Gentlemen. Will the Sponsor yield to a question?"

Speaker Matijeich: "Indicates he will."

Mugalian: "Representative Ewing, is Amendment 3 the last Amendment on this Bill?"



Ewing: "It is according to the Digest. Yes it is."

Mugalian: "Thank you. Mr. Speaker, may I speak to the Bill?"

Speaker Matijevich: Proceed."

Mugalian: "I think this is a good Bill. It's something that has to be taken care of and I support it."

Speaker Matijevich: "The Gentleman from Livingston has moved for the passage of House Bill 573. The question is, 'Shall House Bill 573 pass?' Those in favor signify by voting 'aye'; opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 154 'ayes', 3 'nays', 1 voting present. And House Bill 573 having received the Constitutional Majority is hereby declared passed. House Bill 663, Campbell, out of the record. House Bill 824, Kelly."

Clerk Hall: "House Bill 824, a Bill for an Act to revise the law in relation to township organizations. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Kelly, on House Bill 824."

Kelly : "Yes, thank you, Mr. Speaker and Members of the House. This is not a union or a teachers Bill and I know I've been not doing too well with some of this legislation today, but this Bill would permit townships to establish Senior Citizens Committees. This Bill is strictly permissive legislation and it would create a new Committee which would be appointed by the township board and would have nine Members, three Members of which would be fifty-five years or older. The Committee would be authorized to receive Federal funds from the Department of Aging for the implementation of Federally approved Senior Citizen programs subject to the approval of the township board, the Committee may grant to other governmental entities, not for profit corporations or community service agencies to fund Senior Citizen programs and another very important aspect to the Bill, it would provide for no new taxing powers. This Bill re-



ceived a unanimous consent in the Counties and Township Committee. It's... I don't know of any opposition to it and I would ask for your support at least once today."

Speaker Matijevich: "The Gentleman from Cook has moved for the passage of House Bill 824. On that, the Gentleman from Will, Representative Leinenweber."

Leinenweber: " I have great admiration for the Sponsor of this Bill but I really don't have that great admiration for this Bill. When I first started practicing law about 17 years ago we had 2 volumes of Illinois Revised Statutes. We're now up to 4. And one of the reasons we're up to 4 volumes and probably be going up to 5 is because we do tend to clutter up the laws with Bills such as House Bill 824. Now there's no reason in the world why a local township board of trustees couldn't set up some kind of a Senior Citizens Services Committee and operate without this specific authorization. I think that when we pass Bills like this it's one of the reasons why we have a Third Reading, Priority of Call that's some 14 pages long. I think that we ought to put an end to passing this type of Bill and vote 'no' on House Bill 824."

Speaker Matijevich: "Representative Leinenweber, Billy O'Connell from Peoria always told me that the Statutes weighed the same as a good case of beer. Is that true? The Lady from Cook, Representative Willer."

Willer: "Yes, Mr. Speaker, I think the previous Speaker may have answered my question, but would the Sponsor yield to a question?"

Speaker Matijevich: "He indicates he will."

Willer: "What powers would this Bill as passed give to townships they do not now have because I believe Representative Leinenweber is absolutely correct. Many townships are already doing what you're saying this Bill will enable them to do. What else could they do that they can't do now for Senior Citizens under this Bill?"



Kelly: "Yes, Representative Willer, they can presently do all of these things. This would give them statutory authority. It would also give more of an argument in favor of receiving Federal revenue sharing. It's just more participation by the Senior Citizens in the process. I have already received a number of calls and letters from the Senior Citizens in strong support. Yes, they can do it presently but this would statutorily provide this Committee to be created, Senior Citizens."

Willer: "Well then to speak to the Bill I would simply with all respect to the Sponsor agree with Representative Leinenweber that I see no reason to clutter up the Statutes with this Bill. If Senior Citizens have been contacting the Sponsor, if this is their... favor of this they evidently don't know it can already be done and perhaps someone has let them think that. I do not know, but I think it's an unnecessary Bill and I don't think it's going to make the township any more eligible for Federal money than their already eligible for, sadly enough, right now. So I urge 'no'."

Speaker Matijeich: "The Gentleman from Effingham, Representative Bower."

Bower: "Thank you, Mr. Speaker. A question of the Sponsor..."

Speaker Matijeich: "He indicates he'll yield."

Bower: "Are there any additional taxing powers allowed to this Bill?"

Kelly: "There are no, as I pointed out in my opening statement, there are no taxing powers contained at all in this Bill."

Speaker Matijeich: "The Gentleman from Sangamon, Representative Kane."

Kane: "Would the Sponsor yield for a question?"

Speaker Matijeich: "He indicates he will."

Kane: "Does the town Board still control the budget and the allocation of funds under this Bill?"

Kelly: "Well, the township Board would still control it. There



wouldn't be any control by the other agencies. This would be the township Board would still have control of the purchasing."

Speaker Matijevich: "The Gentleman from Cook, Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. I move the previous question."

Speaker Matijevich; "There's nobody else up here. The Gentleman from Cook, Representative Kelly to close. Oh, I'm sorry. There has been....we've got to move the previous question now. The Gentleman from Cook, Representative Leverenz, moved the previous question. The question is, Shall the main question now be put?' All in favor say 'aye', opposed 'no'. The previous question prevails. The Gentleman from Cook, Representative Kelly, to close."

Kelly: "Thank you, Mr. Speaker. I feel this is a good Bill because it would give added participation by the Senior Citizens throughout the State of Illinois. As I pointed out there is no additional taxes, taxing powers provided by this legislation. It strictly would work in cooperation with Senior Citizens programs and I would think that you would want to support the program and I would ask for your favorable support."

Speaker Matijevich; "The Gentleman from Cook, Representative Kelly, has moved for the passage of House Bill 824. The question is, 'Shall House Bill 824 pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. The Gentleman from Will, Representative Kempiners, to explain his vote."

Kempiners: "Well, just briefly. I didn't get a chance to ask the question because Mr. Leverenz moved the previous question. I generally am willing to grant authority to townships but I'm aware of several townships in my area who are...have such Committee already existing and I'm wondering if this just wouldn't duplicate permissive legisla-



tion in the law now. That was what... the question I was going to ask. If that's the case I'm voting 'no'."

Speaker Matijevich: "Have all voted? Have all voted who wish?"

The Clerk will take the record. On this question there are 86 'ayes', 55 'nays', 9 voting present. And the Gentleman from Cook, Representative Kelly, asks for a poll of the absentees. The Gentleman from Cook, Representative Laurino, 'aye'. Laurino 'aye'. Brummer 'aye', Bradley 'aye', Henry 'aye', and Huff 'aye'. I don't know if the Clerk got all those. There are 91 'ayes', 55 'nays', and 9 present. And House Bill 824 having received the Constitutional Majority is hereby declared passed. Stick to Senior Citizens, Kelly. It's a winner. House Bill 847."

Clerk O'Brien: "House Bill 847, a Bill for an Act to Amend Sections of the Southwest Regional Port District Act. Third Reading of the Bill."

Speaker Matijevich: "The Lady from St. Clair, Representative Stiehl, on House Bill 847."

Stiehl: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 847 refers only to the Southwestern Regional Port Authority. It does not affect any other Port Authority and the Bill has been submitted at the request of the Members of the Authority. They would just like to appoint a General Manager for a term of office not to exceed 5 years. They felt that this would give them the advantage of acquiring more qualified capable managers. It had no opposition. It passed out of Committee 13 to nothing and I would ask for an 'aye' vote."

Speaker Matijevich: "The Lady from St. Clair, Representative Stiehl, has moved for the passage of House Bill 847. There's no discussion. The question is, 'Shall House Bill 847 pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 144 .. 145 'ayes', 1 'nay', 1 present. House Bill



847 having received the Constitutional Majority is hereby declared passed. House Bill 848."

Clerk O'Brien: "House Bill 848, a Bill for an Act to Amend Sections of an Act to require protective coverings or fencing on or about dangerous excavations. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from DuPage, Representative Schneider, says out of the record. House Bill 1010, Judiciary II Committee Bill."

Clerk O'Brien: "House Bill 1010, a Bill for an Act in regard to insanity defense. Third Reading of the Bill."

Speaker Matijevich: "From Cook, the Chairman of Judiciary II Committee, Representative Katz."

Katz: "Mr. Speaker, and Ladies and Gentlemen of the House, the Speaker was correct when he said this is a true Committee Bill. It is a product of a good deal of work by both Republicans and Democrats in Judiciary II Committee. I doubt if there is an issue that is brought to Legislators more often in terms of complaint of the citizenry than the instances of individuals who are found not guilty by reason of insanity who are released because they are not in need of mental treatment and they are released and then they go on to commit another violent crime. We have had several celebrated cases in Illinois, the 'Van Dere' case and other cases. What this Bill does is to learn from the experience of Maryland, which adopted a similar Bill in 1970. What the Bill does is to provide that in the instance of an individual found not guilty by reason of insanity that that individual will be sent to the facilities of the Department of Mental Health where they will make an evaluation of the defendant. On the evaluation they may find that he can be involuntarily admitted because he is a danger to himself or others and that's currently the situation. However, they can also find that the individual is in need



of mental health services. If the individual is found to be in need of mental health services he is given a conditional discharge, or a conditional release by the courts and for a period then of five years he will be under the jurisdiction of the Department of Mental Health. They may decide that he needs hospitalizing and institutionalized and may keep him in the hospital. They may also put him on an outpatient basis. But rather than letting the individual simply float around in the community and be unknown to everyone until he commits a violent crime or Act again, the Superintendent of the Department of Mental Health follows that individual. He is required to report under conditions that the Department feels is desirable and in fact, in some instances as it has worked out in Maryland, they have many years experience with the individuals who have been fitted to this category. They are able to determine that the same kind of symptoms are recurring that characterize the original time that the first Act was committed and they then can reinstitutionalize the individual until the individual is able to work out the problem and is safe to be released. This is... will be a great help in terms of trying to eliminate those terrible cases in which individuals who have committed violent crimes are released to go on to commit another crime. I would point out to you that in the State of Illinois, in the cases involving people found not guilty by reason of insanity that in half of those cases murder has been what has been committed. For that reason everyone one of these case in which we are able to prevent such an individual from going out and committing another crime, will be indeed, a great contribution to the people of Illinois. The Judiciary II Committee by unanimous vote supported this Bill and we would urge its adoption."

Speaker Matijevich: " The Gentleman from Cook, Representative Harold Katz, has moved for the passage of house Bill 1010.



On that, the Gentleman from Kane, Representative Waddell."

Waddell: "Would the Sponsor yield?"

Speaker Matijevich: "He indicates he will."

Waddell: "Is there any provision in this Harold that would alert the law enforcement as to what the decisions are of the Mental Health so that they two could be appraised of what's happening and what's going on?"

Speaker Matijevich: "Representative Katz."

Katz: "Yes, everytime that an Act takes place here, it is done under court supervision. Of course, the State's Attorney is notified. He is the chief law enforcement official in the county and so he follows everything that goes on. He monitors the case. The court monitors the case. If the Department of Mental Health feels that the individual is violating the conditional discharge, if he is not cooperating with them, then the matter is called up in court and the State's Attorney would be notified as the party to the proceedings."

Waddell: "Thank you."

Speaker Matijevich: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you. Thank you, Mr. Speaker. Would the Gentleman yield for a question?"

Speaker Matijevich: "Indicates he will. Proceed."

Mautino: "Harold, since you mentioned the 'DiFluensa' case which was in 'Spiro County', I recall an Amendment we put on a Bill a couple of Sessions ago that disallowed the decision of innocent by reason of insanity and changed that to guilty by reason of insanity. Was that not enacted at that time?"

Katz: "No, no, it was not enacted at that time and has not been enacted since. The Judiciary II Committee has considered that route of going. One of the fifty States has adopted it, the State of Michigan has adopted that approach. Our information is that it has not worked out well. It has never been adopted in Illinois. In our view, we should



preserve the traditional protections of the law that an individual must have specific intent to commit a crime. This is in compliance with about 400 years of tradition in our laws whereas the Michigan approach would change out law drastically. We ought to try this approach in the opinion of Judiciary II Committee."

Mautino: "Alright. I have some other questions, Mr. Speaker, if I may. Then what you're saying to me is that we will not... if in fact it was guilty by reason of insanity, then that particular person would not be able to get out and be under the control of Mental Health. Is that not true?"

Katz: "If it was not guilty by reason of..."

Mautino: "No. No.. Guilty by reason of insanity."

Katz: "Alright. Well, if that category were created, as in Michigan, it is very confusing for juries. Michigan did not eliminate the not guilty by reason of insanity defense. They simply gave the jury an additional option to find that the individual is guilty but mentally ill. It is extremely confusing. The Mental Health Association of Chicago has come out strongly against that approach. We discussed it with the people from Maryland that have had a long experience. They indicated that they did not go that way because they would not be able to get psychiatrists who would want to work in a correctional setting. What you're saying is that people will be guilty in effect, of a crime even though they had no intent to commit the crime. All that we can tell you is that there has been considerable consideration of that problem. It was our conclusion after hearings that took place in Chicago and Springfield and Champaign, it was our feeling that that was not the way to go. It is a complicated problem. We felt that this was the way to go to both protect the defendant, to protect the public, to maintain our legal tradition. It is a complex problem, Mr. Mautino, but this Bill does not take a radical approach. It takes an approach consistent with our legal tradition, but



still, we believe, will serve to protect the public as it has in Maryland now for nine years where it has operated successfully and where there has been no instances of a person who went on to commit a violent crime again."

Mautino: "But what I'm interested in seeing is tightened up, rather than loosened up. I think under the existing situation and the case mentioned previously in my comments, if the Gentleman would have stabbed his wife once, he would have been considered guilty, but since he stabbed her 47 times he was innocent by reason of insanity. Now, I, for one, not being an attorney, don't quite understand that philosophy. I'm one who wants to see it tightened up because a year and a half later, he was walking the streets in 'DePue', Illinois again, where the case arrived. Now all I want to do is figure out some way to tighten up that situation because the Department of Mental Health let the guy out."

Katz: "Mr. Mautino...."

Speaker Matijevich: "That is not a question. You'll close later."

Katz: "I thought that he..."

Speaker Matijevich: "Any other questions? The Lady from Cook, Representative Pullen."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, the General Assembly during the last Session passed a very important Bill in this matter and it is now law. And it says that someone is found not guilty by reason of insanity, that person will be turned over to the Department of Mental Health for treatment. And that the Department of Mental Health cannot unilaterally discharge that person, but if that they determine that treatment is no longer needed after a course of treatment has begun, they have to return the former defendant to court where the court would be able to make the final decision of whether the person went free on the streets. I believe that we have tightened up the law and I think we should give that provision a little more time to operate before we water it down in this manner. This Bill apparently



would have a hearing to determine whether the person was in need of mental treatment. Now if someone has been found not guilty by reason of insanity, I would like to know how they could immediately determine that he is not in need of mental treatment. This is an escape hatch for the defendants and it does absolutely nothing to protect the innocent in our society and I strongly urge its defeat. Let the law that we already passed stand and work."

Speaker Matijevich: "The Gentleman from Will, Representative Van Duyn."

Van Duyn: "Representative Katz, a question."

Speaker Matijevich: "He indicates he'll yield."

Van Duyn: "I tried to read the Bill and somewhere in the Bill it says that this.. this detention or this five year probation period that the Department of Mental Health puts on these people can last no longer than five years. Why did you put that in there?"

Katz: "The five year period that we put in is five years longer than the present law is..."

Van Duyn: "I know that."

Katz: "Alright. So this was an attempt to strengthen the present law, not to weaken it. It strengthens the present law. You have an individual who has been found not guilty by reason of insanity... it was felt here and it is the experience in Maryland that five years is an adequate time to monitor that individual and to see his return to society. That individual has been found not to have committed a crime, five years was felt to be a reasonable period of time to monitor and supervise the case. It is five years in Maryland; It has worked well there. I emphasize again, this Bill strengthens the present law. Under the present law, if the individual is brought in and he is found not in need of treatment, the Judge can release him immediately. This Bill broadens that concept. This Bill broadens the ..., if he is in need of mental health services



and so: The Department of Mental Health powers are greatly strengthened by this Bill. It is not a cop out for defense attorneys at all. It is a stronger Bill than the present Bill. It builds upon our...."

Van Duynes: "Mr. Katz, all I asked you was why you put the five years in?"

Katz: "And I told you that...."

Speaker Matiejvich: "LeRoy, you should have known better."

Van Duynes: "Well, as I understand it now, these... when these people commit a murder.... by the way, you know I had House Bill 244, which Representative Katz through his powers as Chairman, summarily disclosed to our Subcommittee where he held it but now he's had a change of heart with my hearing and he's said that after the Session's over he's going to give me a hearing. Right, Harold?"

Katz: "Absolutely."

Van Duynes: "But my Bill says that when a person committed murder..."

Speaker Matiejvich: "Keep your remarks on this Bill, Van Duynes."

Van Duynes: "Ok. Right. Ok. But this Bill, it says that the Department of Mental Health can put them on conditional release, now they're going to travel...."

Speaker Matiejvich: "The Gentleman from Cook, Representative Madigan, I'm sorry I didn't see your light. We'll have to interrupt you on that.."

Madigan: "For purposes of an introduction, Mr. Speaker. "

Speaker Matiejvich: "I was hoping somebody would do that."

Madigan: "There's a group in the gallery from the 'Maneer School' accompanied by their teachers, Mr. Siebert, Mrs. Branch, and Mr. Cole. They're from the 13th Legislative District represented by Representative Jessie White, Dan O'Brien, and ElRoy Sandquist. Would they please stand and take a bow?"

Speaker Matiejvich: "Welcome. Representative Van Duynes, are you concluded?"

Van Duynes: "Well, two points. First of all when they release this person conditionally, does anybody follow them around?"



In other words, they're on their own, right?"

Katz: "No. When they release the person conditionally the condition is that they have to report in, either they may be put in... confined in an institution if the the Department of Mental Health thinks that's where they ought to be or ..."

Van Duyne: "Who goes home with them?"

Katz: "... May I finish the answer? Or if they release them as an out patient, the individual will be required to report in at whatever date the Department of Mental Health says. It may be once a week..."

Speaker Matijevich: "LeRoy, this is cruel and unusual punishment. Let me tell you."

Van Duyne: "Truly, I'm going to vote for the Bill. I think it's a watered down version, but it's at least better... it's at least better than nothing. But when he says you... when you dispose of somebody out of the public conditionally or unconditionally, if you don't send somebody with them truly there's no quaranteethat he's not going to murder anybody while he's out there. Secondly, when he puts the five year limitation on it where they cannot have any supervision over the five year period, why after the six years the court has no jurisdiction so..."

Speaker Matijevich: "The Gentleman from Cook, Representative Katz, to close."

Katz: "This Bill gives the Department of Mental Health the power to put an individual who is a danger to himself or to others, they can put him in involuntary admission and confine him in a State hospital to as long as he is such a threat. If he does not fall into that category, rather than releasing him as maybe the case in some instances now, if he is in need of mental health services, he is given a conditional discharge, a release for five years. During the five year period he is monitored. He is required to report regularly. If he does not do so, he can then be put by the Department of



Mental Health into the hospital and kept there as long as they feel that he needs so. It is a great improvement and as advance over the present law."

Speaker Matijevich: "The Gentleman from Cook, Representative Katz, has moved for the passage of House Bill 1010. The question is, 'Shall House Bill 1010 pass?' Those in favor signify by voting 'aye'; those opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 121 'ayes', 18 'nays', no present. House Bill 1010 having received the Constitutional Majority is hereby declared passed."

Speaker Redmond: "Mr. Doorkeeper?"

Doorkeeper: "Mr. Speaker, Senator Sam Vadalbene is at the door and seeks admission to the Chamber."

Speaker Redmond: "Let the Honorable, admit the Honorable Senator... I have been requested to present the Honorary Degree of Doctor of Jurisprudence conferred by Lewis and Clark Community College to Senator Samuel Martin Vadalabene."

Vadalabene: "Mr. Speaker and Members of the House of Representatives, as your former colleague, as you well know, I got my basic training over here in the House and I thought it would be appropriate since I was given this high honor last night at the Lewis and Clark Community College in Godfrey, Illinois, that the start came here in the House of Representatives. Once a House Member, always a House Member and you know that. It was truly a great honor for me and for my family. Now I have two things I would like to say and then I got to get back over to the Senate, and vote for some of those good House Bills later on. The first thing is to you non lawyers, you've got a chance. Just stay in there. This is a jurisprudence award, I'm an Honorary degree in law and I'm going to open up a law firm this summer, mostly composed of Italians. And those who are not lawyers, I'm going to have them as my investigative unit so I'm going to have a good staff. Secondly,



I do want to alert you people. I come over here every two years when we get into this type of a Session, that I do have a legislative aid. So that if there's any problems arising, I want to refer you to my legislative aid, Don Hamilton. Now I feel as a former HouseMember that I can take care of any Senator over there but I don't think I can take care of my good colleagues over here in the House. Have a good Session, try to be as peaceful as you possibly can. I know you get frustrated. I know the aches and pains, but you're doing a good job. They remember us back in the district. You see what happened to me last night, it can happen to you. Thank you and God Bless you, Mr. Speaker."

Speaker Redmond: "Mr. Borchers."

Borchers: "I, before Sam leaves I want to tell him I'm so glad he got a Section 8 into the Senate."

Speaker Redmond: "385. "



Clerk O'Brien: "House Bill 385. A Bill for an Act in relation to commercial relocation or removal of transferring vehicles from private property. Third Reading of the Bill."

Speaker Redmond: "Representative Wolf. Representative J. J. Wolf."

Wolf: "Mr. Speaker, Members of the House. They should, also, have given Senator Vadalabene a degree in spaghetti making, because he makes some of the best spaghetti this side of the Wabash, let me tell you. Mr. Speaker, Members of the House, House Bill 385 would place some additional requirements on the commercial towing companies in Cook County. It would require that the signs that they post be of a minimum size of twenty-four by thirty-six and placed in a conspicuous place. At least four feet, not... or, no more than eight feet off the ground, and that they either be aluminated or painted with reflective paint. By Amendment #1, Representative O'Brien's Amendment, he also placed a limitation on the number of miles which the car could be towed. That was 10, and a thirty-five dollar maximum fee. As you know, there have been many problems in the City of Chicago. With this we passed some legislation last year under the Sponsorship of Representative Marovitz, who is the Cosponsor of this Bill. The signs, of course, sometime that are posted have not been in a conspicuous place and of a size where they could be seen. Many times people would see some cars parked in a vacant lot behind some particular business establishment that was closed for the night or wherever it might be, only to come out and find their car towed away later on, because the sign happened to be very small and placed way up near the roof of the building. And, so I solicit your vote for this Bill."

Speaker Redmond: "Representative Barnes."

Barnes: "Would the Sponsor yield for a question?"

Speaker Redmond: "He will."



Barnes: "Jake, would you...you said something about the limitation on miles, and I didn't quite catch it. Would you just clear it up for me, please?"

Wolf: "Yes, I think it was a 10 mile limitation in which by Amendment."

Speaker Matijevich: "Anything further? The question is 'Shall this Bill pass?' Those in favor vote 'aye'. Opposed vote 'no'. Have all voted who wish? The Clerk will take the record. On this question there's 147 'aye' and 2 'no', and the Bill having received the Constitutional Majority hereby declared passed. 444. Griesheimer."

Clerk O'Brien: "House Bill 444, a Bill for an Act to Amend Sections of an Act to provide for the creation and management of forest preserve districts. Third Reading of the Bill."

Speaker Redmond: "Representative Griesheimer."

Griesheimer: "Thank you, Mr. Speaker. House Bill 444 is a clarifying Bill. It sets out specific duties on a forest preserve district with regard to annexing property within a municipality. It provides that any time a forest preserve district chooses to annex property within a municipality they shall obtain the approval of that municipality. This is necessary to protect the tax space of the municipality. If the annex within a mile and a half of the municipality they do not need the approval. That's the way the law is now but they do have to advise the municipality of their intent to take the property. This is to protect all municipalities in the State. It was Amended to clarify language in Committee. I urge its passage."

Speaker Redmond: "The question is, 'Shall this Bill pass?' Those in favor vote 'aye'. Those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there 135 'aye' and 8 'no' and the Bill having received Constitutional Majority is hereby declared passed. 625, Representative Chapman."



Clerk O'Brien: "House Bill 625, a Bill for an Act to establish a program of financial protection with regard to catastrophic health care expenses. Third Reading of the Bill."

Speaker Redmond: "Representative Chapman. Chapman."

Chapman: " Mr. Speaker, and Members of the House, House Bill 625 gives attention to a matter of great concern to middle and lower income working people. How to deal with the expenses of a catastrophic illness... at the present time this is not a matter which needs to concern Public Aid recipients because they're covered by Medicaid. Elderly people have many of their needs covered by Medicare. People of substance do not need to worry about medical costs. Many categorical programs of our State and the Federal Government pick up the tab or a substantial part of the tab for certain categorical, for certain illnesses such as hemophilia, high blood pressure, other categorical programs. However, for most middle class and lower income persons who are working they need to have great concern for what they would do if a catastrophic illness strikes. This legislation creates the Illinois Catastrophic Health Expense Limitation Plan, under which the State would pay 90% of the qualifying medical costs for a family struck by catastrophic illness or injury. The Illinois Department of Public Health is authorized to make payments for an eligible person and for dependents from the Catastrophic Health Fund, created by the Act. The fund would be established by a \$3,000,000 annual transfer from the general revenue fund. To be eligible for help an Illinois resident would have to owe or pay out of pocket medical expenses equaling its deductible within any 12 month period. The deductible would be based on a family's combined gross income for the previous year. It would equal 40% of the family's first \$15,000 of income plus 50% of any income between 15,000 and 25,000, plus 60% of any income above 25,000. However, the smallest deductible would be \$2,500 regardless of income. Only money



that actually came from the family, not medical expenses covered by governmental programs or by private insurance, would count toward the deductible. Such expenses that are covered are hospital and ambulatory surgical treatment center services, professional services for diagnosis or treatment of injuries, illnesses or conditions other than mental or dental, anesthetics, radiation therapy, and ambulance services, prescription drugs, and 120 days of nursing home care. As you can see, this is a modest plan, one which will help but will not put any family on easy street. Four States now have similar plans which are working. I ask that you vote for Illinois to join these four other States in dealing with a problem that matters to middle class and to lower income residents of our State. Please vote 'yes'."

Speaker Redmond: "Representative Willer."

Willer: "Yes, thank you, Mr. Speaker. A lot of people in the nation are afraid that we're going to face the day when soon where we will have socialized medicine. I think this type of Bill passed into law would alleviate a lot of the fears because it would alleviate the need to think of socialized medicine. Just yesterday we talked about scholarships being available to the very poor and college tuition costs no burden on the very rich, but it's the middle class that's hurt in many areas and one of them is catastrophic bills when it comes to catastrophic illnesses. More and more families throughout the nation are being wiped out financially, right down to losing their home because of extraordinary expense due to a prolonged or catastrophic type of illness or accident. This is a modest Bill but it certainly will help those who certainly need help because they will have had to pay out of their own pocket a large sum of money which could almost wipe them out unless they get some help before this takes over. As the Sponsor said, it at least allows them to swim and



not sink. I think it's an excellent concept. It is not going to be burdensome to the State. Three million dollars a year is not a large sum, even though I don't like to take any more money out of general revenue funds, for new programs, anymore than anyone else does. We are spending far more than that in increasing other health for certain categories of people, senior citizens through the Circuit Breaker. I think this is a Bill that's over due. I think it's an excellent Bill and well thought out and I would certainly urge everybody to support it."

Speaker Redmond: "Anything further? Representative Schuneman."

Schuneman: "Yes, Mr. Speaker, some questions of the Sponsor.. Representative, would this Bill apply to all Illinois citizens or only the poor and only the middle class or would it apply to all citizens?"

Speaker Redmond: "Representative Chapman."

Chapman: "Is my mic on? Ok. It would apply to any citizen who was eligible? "

Schuneman: "Ok. Thank you."

Chapman : "On income and expenses..."

Schuneman: "Yes... Now according to our staff analysis the Department of Public Health has indicated that this ... that the annual cost of this plan could be as much as \$32,000,000." How do you plan to fund this fund? Where's the tax money going to come from? Are we going to take it out of general revenue? Or have you provided some form of new taxation to pay for this?"

Chapman: "As I indicated in my presentation, it will funded by a three million dollar annual appropriation, a transfer from the general revenue fund to a new special catastrophic health fund. The Fiscal note, Sir, is way off base. What it represents is a potential expenditure. Our plan is based on the Minnesota plan using a similar methodolgy they appropriated \$10,000,000 their first year. Their expenses actually were \$250,000. So, we believe that the



3,000,000 which we are calling for will more than cover the expenses. As a matter of fact, since the effective date for the program is July 1, 1980, there will be no payments made until the Fiscal Year '82, because there's a whole year before eligibility would be established."

Schuneman : "Mr. Speaker. May I speak to the Bill?"

Speaker Redmond: "Proceed."

Schuneman: "Well, Mr. Speaker, and Ladies and Gentlemen of the House, I think we should take a careful look at this Bill. Although the Sponsor has indicated that her estimate is less than those of the Department of Public Health, I would point out to you that the Fiscal impact as indicated by the Department could be as much as \$32,000,000 a year. Now as I read the Bill, the Sponsor has provided no new tax to pay for those expenses so this expenditure is going to have to come out of the general revenue funds. Another thing that I would question frankly, would be what I believe to be a change in public attitude or governmental attitude as far as encouraging our citizens to take care of their own medical expenses. It seems to me that we may have many people in the State of Illinois with incomes in the \$20,000 range who may find it much more practical to simply provide for their own first \$10,000 of medical expenses and let the State pick up the tab for anything over that. It seems to me that the way the Bill is drafted it may encourage people to drop their health insurance, simply not carry it because the State is going to pick up the tab over and above the deductible. Now I would agree that the deductibles are pretty high and that in many instances people would not have that kind of money. There are also some kind of problems in here that I would point out, one of which is that a qualified expenses do not include the following: any charges for which coverage is provided under any motor vehicle or other liability insurance policy or equivalent self insurance. Well that seems to me to say that anyone



that's injured in an accident where you may have a potential liability claim, that you could not make claim under this State fund until you're liability claim had been settled. And I would invite those of you in the House who are attorneys to take a close look at this Bill and see whether or not it is drawn in such a way as to encourage people to take care of their own medical expenses or in fact, it would encourage people to look to the State for one more service and if the State embarks on this national health insurance program for Illinois, we could very well find ourselves buying something that's going to be much more expensive than we want to pay for in future years. SO I would invite you to take a very close look at this Bill."

Speaker Redmond: "Representative Terzich."

Terzich: "Yes, Sir, could I ask a question of the Sponsor?"

Speaker Redmond: " Proceed."

Terzich: "At the present time if a person does not have sufficient income to pay for medical expense, can not they apply for Public Aid? Green card or to pick up medical expenses?"

Chapman: "We would hope to avoid putting a family in the cluster of this program of their assets in order to apply for Public Aid."

Terzich: "Well if the person had assets in the first place, I assume then they could afford some type of individual catastrophic coverage with an insurance company..."

Chapman: "... As a matter of fact,...."

Terzich: "If they didn't have the money I would assume that they would be eligible for Medicaid or Public Aid."

Chapman: "If they are on Public Aid, they are eligible for Medicaid, you're so right. The question is this, 'Do we want to put a family with expenses \$160,000 in the position of selling the house, going on Public Aid, possibly setting up a situation where there's a dissolution of the



family?' Or do we want to help them in a small way to meet the expense of catastrophic illness and return to a posture where they could be contributing Members of the society? Do we want to break them?"

Terzich: "Well, then do you feel that the State should supply coverage to provide an estate for someone else's family?"

Chapman: "Mr. Terzich, this is very similar to your program that was successful in this Legislature for hemophilia patients."

Terzich: "I understand...."

Chapman: "It has the same kind of objective, Sir."

Terzich: "Well, you're still talking about a hemophilia that had problems #1: of obtaining such coverage on an individual basis and knowingly has a constant medical expense as compare to this.... certainly there's individual initiative to supply this type of coverage whether it's through group insurance or Public Aid. Now if they are eligible for Public Aid, certainly I haven't heard of anybody losing their home applying for Public Aid for medical expenses. Isn't that true?"

Chapman: "I have a file of...of stories the kind of experience that people have had in these circumstances. And there is just no question but this is possibly the number one worry that faces people of middle and lower income."

Terzich: "Well, I know. But have you heard of anybody losing their home because of medical expenses when they were eligible for Public Aid? Because I understand that they don't take into consideration a private dwelling. Maybe their apartment building or something like that, but not their individual private dwelling."

Speaker Redmond: "Representative Giorgi."

Giorgi: "Mr. Speaker, prior to giving debate, for the purposes of an announcement. The students of the Government Class from the Blue Mound High School from Blue Mound, Il. are up in the Speaker's gallery and they're represented by



John Dunn, Donovan, and Borchers. Up here in the front gallery. Mr. Speaker, on House Bill 625, you know we're spending now one billion dollars in Medicaid funds in Illinois for various illnesses and quite a bit of money goes to hospitals, doctors and nursing homes, but this case here, we've got a situation in the country and in Illinois where we've a lot of working mothers and runaway fathers and these mothers are trying to keep their families together and the thing that cripples them the most is a lingering illness or a terminal illness where their resources are depleted and they are not on Public Aid. Now I've got a couple of cases in my own office where the largest industrial farm in Rockford dropped a father because his daughter had a back operation. They dropped his daughter from coverage. She is 19 years old. She cannot buy insurance because she's not insurable. She has to have another operation decreed by the doctors and she has no money for that operation. She can't qualify for Public Aid. And I've got a couple of students going to Junior College that live by themselves or households of their own. One of them has cancer of the ankle, which is a terminal illness that's going to deplete her resources and her family's and I have a girl that has cancer of the uterus. It's time for the State of Illinois to move up to this responsibility. We have a lot of people throughout the State of Illinois that are not covered by Medicaid or by a group policy of their own insurance and I don't think we want people to deplete their entire resources to go in debt with the possibility of never paying that debt off. There are debts in some of our hospitals and some of our doctor's offices that people cannot pay off in a lifetime. This is a real Act of mercy. This General Assembly, I think we ought to get into this field."

Speaker Redmond: " Representative Bullock."

Bullock: "Thank you, Mr. Speaker, and Ladies and Gentlemen of



the House. I'd like to rise in support of House Bill 625. Representative Chapman is addressing a problem that affects all middle income people in the State of Illinois and those nation-wide. I think the problem that she's indentified is one that we're being asked to solve with a very minimal amount of dollars. We also must take into consideration that the proposal that the Lady submits to us today does not activate itself until Fiscal '82, which gives us ample amount of time to do the kind of budget adjusting necessary to fund a very small amount which she estimates conservatively at \$3,000,000. Individuals who fall victim to catastrophic illness are people who've exhausted all other means of average finance. The Bill is not intended as a bail-out for the very low income persons, this Bill is aimed directly at the middle income people who literally can be wiped out with a major medical catastrophe. I urge an 'aye' vote for Representative Chapman and I urge it for a simply reason. The Bill is needed. We know the present national debate and until something is done in Washington to solve this critical problem of catastrophic illness, I think the responsibility logically resides with individual States. And for that reason I would urge that we support Representative Chapman's Bill and cast an 'aye' vote on 625."

Speaker Redmond: "Representative Terzich."

Terzich: "Well, yes, Mr. Speaker, supposedly Representative Giorgi was replying to my question of the Sponsor of the Bill and I certainly was not finished on that particular point of... on the Bill. I would like to speak on the Bill. I know that a number of years back C.L. McCormick stood up on the floor of the House and said that the group insurance policy for the State of Illinois to provide these benefits were being provided at a minimal amount of money. At that time he said it was \$25,000,000 and at the current time I think the appropriation is running about eighty-some



million dollars for the group health plan so we can see what's happening with medical care costs. I would think that before the State should go into this type of a program I would prefer that they mandate group insurance carriers or some coverage to provide some of these benefits for their employees which I believe most of them are doing. Most group carriers do have caps on their major medical plans, it's not unusual for a 250,000 or 1,000,000 or an unlimited maximum amount of benefits being provided by private industry. And certainly although this is an admirable Bill I think that Representative Ronan is taking a more logical step by I think we have House Bill 886 which will set up a Commission to review the possibility of providing catastrophic coverages, but at the present time I think we're going into another area of the womb through the tomb. Private industry can do it. They do have the Public Aid which does provide medical assistance for those who are in need of it. I have yet to hear of anybody lose their home if they are in this dire need. And certainly those who have these homes or billings can afford to provide this type of coverage on an individual basis."

Speaker Redmond: "Representative Madigan."

Madigan: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of the passage of this Bill. In my opinion there is no greater need which faces us today than the need for catastrophic health insurance. I'm sure that all of us or that some Members of our family knows of some instance where someone has developed a terminal illness, where the illness lingers for several years and when the patient becomes a terrible economic drain upon his or her family. Not only is it a terrible tragedy for the victim, it becomes.."

Speaker Redmond: "Representative Madigan... what?.... Your microphone is on. I don't... Turn on Getty's microphone..."



How about Giorgi's? Is he around?... "

Madigan: "As I was saying Mr. Speaker, Ladies and Gentlemen of the House, when this does occur certainly it's a great tragedy for the victim but it becomes a terrible lingering loss and tragedy for the family mainly because of the economic considerations and the need for paying all of the expenses. It may build up over a period of several years. This Bill is designed to treat situations where a family is unable to obtain insurance or a family is inadequately insured and to cover the situations where people in those classes are not eligible for governmental assistance through many forms of governmental assistants that are available. The Bill has been well thought out. It's patterned after a plan which has already been adopted in Minnesota where the cost of the program were held to a very low amount of money. The Bill... the Bill .. or this idea is also been implemented in four other States: Rhode Island, Connecticut, Maine and Hawaii. I think that today we are presented with an opportunity to adopt legislation that meets a need of our time. It gives us an opportunity to address a problem and to offer an intelligent well thought out legislative solution. And I would recommend an 'aye' vote."

Speaker Redmond: "Representative Totten."

Totten: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I rise in opposition to House Bill 625. Although it's labled as a catastrophic illness insurance plan, it really is a catastrophic .. will be a catastrophic drain on the resources of the State general revenue fund. To the Lady who mentioned that we're going to have this at the national level, let me remind you that it was about 40 years ago that we started an insurance plan called the Social Security Plan which is now coming near bankrupting our Federal Treasury because of increases in benefits. There is no reason to believe that this catastrophic program will not eventually drain and.. or consume resources at the same accelerated



rate that Federal plans do. Let me also remind you that 80% of the people in this State today are covered by a major medical insurance policy. 10% are covered by Public Aid and the other 10% either choose not to take out insurance on their own, which is a free choice, or they may work for a particular employer who does not offer that type of insurance. The small percentage of people left who would be covered by this plan would not... would not want the passage of a plan that would eventually encourage people to drop high private insurance plans to go to the State fund. I think this would be a catastrophic drain on future State revenues. It would provide a tremendous burden for future generations and it is an ill advised course for us to choose at this time when resources are so limited even though needs may be unlimited. And I would request a 'no' vote."

Speaker Redmond: "Representative Breslin. Representative Van Dwyne, Hanahan, Terzich... sit down."

Breslin: "Mr. Speaker, I move the previous question."

Speaker Redmond: "Question... question is, 'Shall the main question be put?' Those in favor say 'aye', 'aye'; opposed 'no'. The 'ayes' have it. Representative Chapman to close."

Chapman: "Mr. Speaker and Members of the House, the previous Speaker knows that we spend one billion dollars in medical every year in this State for Public Aid recipients. I cannot believe that he is opposed to spending less than three million dollars for lower and middle income people to keep them from being Public Aid recipients. I ask for a 'yes' vote on what is undoubtedly one of the most important Roll Calls of this Session."

Speaker Redmond: "Question is, 'Shall this Bill pass?' Those in favor vote 'aye'; opposed vote 'no'. Representative Schraeder."

Schraeder: "Well, Mr. Speaker, it's quite obvious that the Sponsorship of the Bill, including such distinguished Gentleman



as Representative Madigan or Representative Giorgi, going to lead weight to this, but I think that's insignificant when you're talking in terms of total cost. Now this Bill lists three million dollars today but I can foresee very clearly that tomorrow or the next day or the following day those who are now paying premiums for catastrophic insurance could very well decide not to buy that insurance and keep the premium and who's going to pay the additional three, four, six, eight, ten, forty million dollars every biennium or perhaps every year. It seems to me that we're not ready in Illinois for this kind of insurance coverage at the taxpayers expense. And I dare say that no one in this House of Representatives other than the Sponsor who may have solicited support for her Bill, have received anything from the middle income people who have to pay this bill from State taxes. And I dare say that three million dollars is a drop in the bucket. We can ill afford it. The taxpayers are talking about reduction in taxes not an increase. and I dare say that this Bill can wait for another couple of years before it's needed and I vote 'no'."

Speaker Redmond : " Have all voted who wish? Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, contrary to the previous Speaker, I believe that no one is going to drop their insurance coverage in order to take advantage of this program. If you will look at the statistics of family with an income of \$25,000 a year under this program would still have to pay out \$11,000 of their own money before they would even qualify for consideration of payment under this program. I don't believe that there are very many families with under \$25,000 a year income who would find that they could easily pay that much of a bill before this program would kick in. They are not going to



sacrifice their insurance policy in order to get this funding from the State. They cannot afford to because it would take such a big bite out of their personal income even with this program and so I think it is a message for providing exactly what the Chairman of this Committee has had her Committee do in this Bill, a message for bailing out the person who cannot take this kind of financial drain."

Speaker Redmond: "Have all voted who wish? Representative Collins."

Collins: "Mr. Speaker, I... Representative Totten may ask me to request a verification."

Speaker Redmond: "Representative Totten is seeking recognition. Since when did he... was he unable to speak for himself. Representative Totten."

Totten: "Sometimes I have a hard time getting recognized, Mr. Speaker..."

Speaker Redmond: "Only when deserved."

Totten: "... verification yet..."

Speaker Redmond: "Have all voted who wish? Clerk will take the record. On this question there's 94 'aye', and 55 'no'. Representative Collins has requested a verification of the affirmative Roll Call. Representative Chapman has requested a poll of the absentees. Mr. Clerk, will you poll the absentees?"

Clerk O'Brien: "E.M. Barnes. Jane Barnes. Capparelli. Gaines. Hoxsey. Kane. Kozubowski. Kucharski. McAuliffe. Meyer. Mulcahey. Schoeberlein. Telcser. Von Boeckman. No further."

Speaker Redmond: "Yes, verify the Affirmative Roll Call."

Clerk O'Brien: "Alexander."

Speaker Redmond: "Members please be in your seats now. You know the Hanahan Rules... Well, he isn't following his rules. Representative Slape, for what purpose do you rise?"

Slape: "Thank you, Mr. Speaker. Can I have leave to be verified please?"



Speaker Redmond: "Does the Gentleman have leave to be verified?"

Representative Collins is you're verifying... oh Totten is doing it. "

Clerk O'Brien: "Anderson..."

Speaker Redmond: "Put Totten on all the time."

Clerk O'Brien: "Balanoff. Beatty. Bell. Birchler. Bowman. Bradly. Preston. Braun. Breslin. Brummer. Bullock. Capuzi. Catania. Chapman. Christensen. Cullerton. Currie. Darrow. Dawson. DiPrima. Domico. Doyle. John Dunn. Dyer. Ewell. Farley. Flinn. Virginia Frederick. Garmisa. Getty. Giorgi. Goodwin. Greiman. Grossi. Hallock. Hallstrom. Hanahan. Hannig. Harris. Huff. Jaffe. Johnson. Emil Jones. Keane. Kelly. Kornowicz. Kosinski. Laurino. Lechowicz. Leon. Leverenz. McDonald. Madigan. Marovitz. Matijevich. Mautino. McClain. McGrew. McPike. Molloy. Mugalian. Murphy. Kulas. Oblinger. O'Brien. Patrick. Pechous. Peters. Pierce. Pouncey. Rea. Richmond. Ronan. Satterthwaite. Schisler. Schneider. Sharp. Henry. Simms. Slape. Steczo. Stuffle. Taylor. Van Duyne. Vitek. White. Willer. Williams. Sam Wolf. Younge. Yourell. Mr. Speaker."

Speaker Redmond: "Representative Macdonald, for what purpose do you rise?"

Macdonald: "Mr. Speaker, Ladies and Gentlemen of the House, I feel obligated to say as my good friend who sits behind me, Representative Epton, would say, that I definitely have a conflict of interest in voting for this Bill. I have a brother who is still living on a respirator and for many of you who remember the catastrophic illness that struck in 1972, I will say that it has... his insurance company went broke. He has no insurance and I personally know from experience in my family what has happened in a catastrophic illness and while I do have a conflict of interest I, like my good friend Bernie Epton, am still going to support this Bill."



Speaker Redmond: "Gene Barnes. Gene Barnes down front here. desires to be recorded as 'aye'. Representative Kane 'aye'. Donovan 'aye'. Anyone else? Any questions of the Affirmative Roll Call?"

Totten "Thank you, Mr. Speaker. Beatty?"

Speaker Redmond: "How is Representative Beatty recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Redmond: "Remove him."

Totten: "Braun."

Speaker Redmond: "How is Representative Braun recorded?"

Clerk O'Brien: "The Lady is recorded as voting 'aye'."

Speaker Redmond: " Remove her."

Totten : "Mr. Speaker, could you tell me what the count is?"

Speaker Redmond: "What's the count?"

Totten: "With those two removed?"

Speaker Redmond: "95 'aye'."

Totten: "Thank you. Christensen."

Speaker Redmond: "He's here."

Totten: "Brummer?"

Speaker Redmond: " He's here."

Totten: "Darrow?"

Speaker Redmond: "Darrow is here. The little guy there."

Totten: "Representative Dawson."

Speaker Redmond: " How is Representative Dawson recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Redmond: "Remove him."

Totten : "Farley."

Speaker Redmond: "Farley? Representative Farley back there? How is he recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Redmond : "Remove him."

Totten : "Representative Garmisa?"

Speaker Redmond: "Garmisa? How is Representative Garmisa recorded?"

Clerk O'Brien/ " The Gentleman is recorded as voting 'aye'."



Speaker Redmond: "Remove him."

Totten: "Representative Goodwin?"

Speaker Redmond: "Who?" He's here."

Totten: "Representative Hallock."

Speaker Redmond: "Who was that?"

Totten: "Representative Hallock."

Speaker Redmond: "There he is. Back hiding back of Polk."

Totten: "I think he wanted to leave. Representative Hanahan."

Speaker Redmond: "He's here."

Totten: "Representative Huff."

Speaker Redmond: "He's in the back."

Totten: "Representative Johnson."

Speaker Redmond: "How is Representative Johnson recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Redmond: "Remove him."

Totten: "Representative Emil Jones."

Speaker Redmond: "How is Emil Jones recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Redmond: "Is he in the chamber? Remove him."

Totten: "Representative Greiman."

Speaker Redmond: "Representative Greiman? He's Sam Vadalabene's  
bodyguard right here."

Totten: "Representative Keane?"

Speaker Redmond: "Representative Keane? He's back there."

Totten: "Representative Kelly?"

Speaker Redmond: "He's down here in front."

Totten: "Representative Kosinski?"

Speaker Redmond: "Representative Kosinski? How is he recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Redmond: "Remove him."

Totten: "Representative Laurino."

Speaker Redmond: "He's here. He's the fellow with the moustache  
and the whiskers."

Totten: "Representative Marovitz."

Speaker Redmond: "Marovitz? The fellow with the crew cut way in



the back there."

Totten: "Representative McGrew."

Speaker Redmond: "McGrew is sitting in his seat."

Totten: "Representative Murphy."

Speaker Redmond: "Murphy here? Yes, he's got a cigar in his mouth."

Totten: "Representative O'Brien."

Speaker Redmond: "Is Representative O'Brien there? How is he recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Redmond: "Remove him."

Totten: "Representative Pierce?"

Speaker Redmond: "Pierce here? Pierce? There's Pierce. Pierce is ..... to Pierce."

Totten: "Representative Richmond."

Speaker Redmond: "He's here."

Totten: "Representative Schisler?"

Speaker Redmond: "Schisler back there? He's here."

Totten: "Representative Bell."

Speaker Redmond: "Who?"

Totten: "Bell."

Speaker Redmond: "Is Representative Bell....how is he recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Redmond: "Remove him."

Totten: "Representative Slape."

Speaker Redmond: "He got permission to be verified earlier."

Totten: "Alright. Representative Henry."

Speaker Redmond: "Representative Henry. Henry in the back there? What'd you say Representative Simms? Representative Henry, how is he recorded? How is Henry recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Redmond: "Remove him."

Totten: "Representative Stuffle."

Speaker Redmond: "He's here."

Totten: "Representative White."



Speaker Redmond : " He's here."

Totten: "Representative Yourell?"

Speaker Redmond: "Yourell here? Yourell? How is he recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Redmond: "Remove him."

Totten: "Representative Patrick."

Speaker Redmond: " Patrick? He's in the back."

Totten: "I have no further questions, Mr. Speaker."

Speaker Redmond: "What's the count, Mr. Clerk? Yourell is here."

Put him back on the Roll Call. Representative Mulcahey?"

Mulcahey: "Mr. Speaker, please record me as voting 'aye'."

Speaker Redmond: " Record Representative Mulcahey as 'aye'."

Representative Bell has returned. You want..... Representa-

tative Bell, do you want to come back on the Roll Call?

Yes, 'aye'. Representative Bell is 'aye'. He's in the

well there. Representative Von Boeckman? 'Aye'... On this

question there's 89 'aye', 55 'nay' and the Bill having

received the Constitutional Majority is hereby declared

passed. We're going to have to go back to 1010 for just

a minute. We'll be back to you Representative Kempiners.

We recognize... Kosinski? It's supposed to be Ronan. On

1010. Representative Satterthwaite?"

Satterthwaite: "Mr. Speaker, having prevailed on... having voted

on the prevailing side of 625 I move that we reconsider the

vote by which that Bill passed."

Speaker Redmond: "Representative Satterthwaite, having voted on

the prevailing side has moved that the vote by which it

passed be reconsidered. Representative Madigan."

Madigan: "We'll just put that on the table, Mr. Speaker."

Speaker Redmond: "Representative Madigan moves that that motion

lie on the table. Those in question say 'aye', 'aye'; opposed

'no'. The 'ayes' have it. The motion carries. 1010,

Representative Ronan, do you have a motion on that? Oh

is it. Roman? Representative Mautino, you'd better talk to

Representative Kosinski. We'll take this one out of the



record now and we'll go to 665."

Clerk O'Brien: "House Bill 665, a Bill for an Act in relation to Merit Systems for sheriffs personnel in certain counties. Third Reading of the Bill."

Speaker Redmond: "Representative Kempiners."

Kempiners; "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, this is about the third year that this Bill has been introduced and it's passed the House in the past and it's got hung up with problems in the Senate. Very simply it builds on the existing Act which I understand was Sponsored originally by Speaker Redmond in his earlier years in the General Assembly whereby counties may create a Sheriff's Merit Commission. There's nothing in this Bill that would mandate them to do so. It's entirely optional on the county and basically it has taken the original Bill and the Attorney General's opinion which have followed the enactment of that Bill and has codified many of those provisions. It outlines the procedure for establishing the Board, establishing the rules and regulations of the Board, the appointment procedures. We've worked on this Bill with Representatives of the Illinois Sheriff's Association, who support the Bill, the Illinois Association of Merit Commissioners, who support the Bill. We've worked with county Board Members on this Bill and we also have support from the Deputies' organizations from around the State. I'll end my remarks just by stating that this has been worked over very well. I think it's a good Bill and it takes some of the vagueness out of the existing law and it makes it clear exactly what authority this type of Commission has once it's created by the county and I would urge your support for House Bill 665."

Speaker Redmond: "Is there any discussion? Representative Tuerk."

Tuerk : "Would the Sponsor yield for a question? I'm sorry.

I didn't catch... is this mandatory or permissive legislation?"



Kempiners: "It is permissive legislation."

Tuerk: "Thank you."

Speaker Redmond: "Anything further? Question is, 'Shall this Bill pass?' Those in favor vote 'aye'; opposed vote 'no'. Have all voted who wish?"

Speaker Lechowicz: "Kindly record Mr. Borchers as 'aye' please. Have all voted who wish? And Representative Ropp as 'aye'. Have all voted who wish? Kindly record me too please. Thank you. Clerk will take the record. On this question there's 157 'ayes', 1 'nay', 1 recorded as present. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 886. 886."

Clerk Leone: "Representative Lechowicz in the chair. House Bill 886, a Bill for an Act to create a Commission to study the needs for State Catastrophic Health Insurance Program. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Ronan."

Ronan: "Thank you, Mr. Speaker and Members of the House. I don't want anyone confused with this piece of legislation and the Bill that we just passed for Representative Chapman. The purpose for the establishment of this Commission will be to review the existing plans that are going on in other States and to review the proposals that exist in this State and hopefully come up with some type of program that can be used to address the problem of catastrophic health care. Representative Chapman made a very strong presentation concerning the need and I think everyone understands that there is a need to look at the rising health care costs in the State of Illinois today. Her Bill, if it does pass the Senate, will be a method that will be instituted if the Governor signs it. However, if her Bill does not pass the Senate or if the Governor does not deem to sign her legislation, we will still have a vehicle available and a Commission established to continue investigation of this problem and hope we come up with a meaningful program which



can be used for future generations. The cost of the Commission will exceed no more than five thousand dollars, however, I would hope to see no State money being used to fund this proposal."

Speaker Lechowicz: "Is there any discussion? The Gentleman from Kankakee, Mr. Ryan."

Ryan: "Well, will the Gentleman yield?"

Speaker Lechowicz: Indicates he will."

Ryan: "I note by the Calendar, Representative, there's been a Fiscal Note filed. Can you tell me for what amount?"

Speaker Lechowicz: "Question is has a Fiscal Note been filed and what amount? "

Ronan: "Yes, there's been a Fiscal Note filed which says that the cost of the Commission would amount to \$63,000. However, there's is going to be... there's been a commitment by Representatives of private agencies to fund the basic cost of the Commission so the Fiscal Note ends up saying that it would cost the State no more than five thousand, but my attitude is that it shouldn't cost the State any money to fund this Commission."

Ryan: "Thank you Representative. Now the Membership is made up of two from the Majority and two from the Minority in both aisles in the Senate, is that right?"

Ronan: "Correct."

Ryan: "Thank you."

Speaker Lechowicz: "The Gentleman from Peoria, Mr. Tuerk."

Tuerk: "Would the Sponsor yield please?"

Speaker Lechowicz: "Indicates he will."

Tuerk: "Why couldn't the Insurance Laws Study Commission take this into account during its deliberation? We already have that Commission in existence and wouldn't it seem logical that they could look into this matter very nicely?"

Speaker Lechowicz: "The Gentleman from Cook, Mr. Ronan."

Ronan: "My response to that is there's a lot of different Commissions that we've got in existence that could be looking



at this problem. However, they haven't done it as fast as I'm concerned and ... and this is not merely an insurance issue. This is a health care issue; It's an insurance issue; It should involve input from a lot of different areas of our State and it shouldn't be labeled as strictly an insurance problem because it's not strictly an insurance problem."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Epton."

Epton: "Well, thank you, Mr. Speaker. I have no desire to speak against this Bill, but I think I should correct the response that was just made in answer to the inquiry. The Illinois Insurance Laws Study Commission has gone into this question quite thoroughly. We have reported to the General Assembly, but I must confess that like most reports, I'm afraid most of my colleagues just put it in the wastebasket. But we have studied it. The reports are available and I'll be very happy to give it to anyone who would like to read it."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Ronan, to close."

Ronan: "The .. my only response is that I will definitely review with the reports of the Insurance Study Commission. However, I still feel that there is a need for the establishment of this so that we have the input from the Members of this General Assembly plus from Directors of different agencies and from the health care and insurance industry so that we can hopefully come up with a legislative package that will do something about this very serious problem. I move for a favorable consideration."

Speaker Lechowicz: "The question is, 'Shall House Bill 886 pass?' All in favor vote 'aye'. All opposed vote 'nay'. Have all voted who wish? Have all voted who wish? The... Have all voted who wish? Clerk will take the record. On this question there are 96 'ayes', 48 'nays', 3 recorded as present. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 986."



Clerk Leone: "House Bill 986, a Bill for an Act creating the State Purchased Human Services Review Act. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Franklin, Mr. Rea."

Rea: "Mr. Speaker, Members of the House, House Bill 986 creates the State Purchased Human Services Board. This Bill will provide for a Board to review contracts, grants and purchased care rates of various Social Service agencies. The purpose of this Bill is to reorganize and consolidate the functions of two existing Boards and of course add.. add new members and public Members in addition to the Members from the Social Service agencies that review and approve rates for the purpose of care and insurance of grants for Human Services in Illinois. Day care, foster care, home-maker services, nursing home rates and other types of human services. This Board would establish standards and procedures for the purchase of human services by State agencies. Review rates are rate structures that will apply with the approval of the Governor to the State purchase of human services. The composition of the Board would consist of nine Members appointed by the Governor. It would include the Director of the Bureau of the Budget, Superintendent of Education, three other human services agencies directors and four Members of the public that are not providers or recipients. This board would call for no additional funds and the staff of course is provided by the Bureau of the Budget, by the Department of Public Health and by the Illinois Office of Education. This approach would provide a more integrated coordinated approach to the establishing of rates and rate review for the purchase of State human services. This Bill passed out of Committee 13 to 1. There is no opposition that was voiced and I know of no opposition. I would ask for a favorable vote."

Speaker Lechowicz: "Is there any discussion? The question is, 'Shall House...' ..the Gentleman from Will, Mr. Leinenweber."



Leinenweber: "Yeah, I had one question. I'm looking at the Republican staff analysis and would this.... it seems to indicate that this Board would have the power to oversee hospital rates and approve hospital budgets. Is that in.. would this, the review Board do that?"

Rea: "No, this exempts the hospital rates."

Leinenweber: "Pardon?"

Rea: "This exempts the hospital rates."

Leinenweber: "Ok. Thank you."

Speaker Lechowicz: "The Gentleman from DeKalb, Mr. Ebbesen."

Ebbesen: "Yes, Mr. Speaker, if the Sponsor.....I'm looking at the Digest, he said there was no additional cost and I'm reading down here a list of ...looks like some pretty large dollars. Would you explain that?"

Rea: "Would you kindly repeat your question?"

Ebbesen: "Yes. The... I'm looking at the Digest and I thought I heard him say that was really no additional cost, dollars involved in this. I don't quite grasp what all of these numbers are here..... additional cost over the Department's current budget to effect implementation are as follows and it lists a....."

Rea: "You heard me correct. There would be no additional cost. The cost are already provided. There's 300,000 even in terms of this coming year to the 395 Board and then there's .... staff has already been provided through the Bureau of the Budget and the Department of Public Health."

Speaker Lechowicz: "The question is, 'Shall House Bill 986 pass?' All in favor vote 'aye'; all opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Larry? Get Garmisa. Have all voted who wish? Clerk will take the record. On this question there are 121 'ayes', 30 'nays', 2 recorded as present. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 1032."

Clerk Leone: "House Bill 1032, a Bill for an Act to Amend the Game Code. Third Reading of the Bill."



Speaker Lechowicz: "The Gentleman from Stephenson, Mr. Rigney."

Rigney: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. What House Bill 1032 will now do in its Amended form is to give the authority to the Illinois Department of Conservation to set game zones by administrative order. They need this kind of flexibility particularly if they're going to be able to create the game zones so they're needed particularly in the Northern part of the State. I ask your help in passing this legislation."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Yourell."

Yourell: "Would the Gentleman yield?"

Speaker Lechowicz: Indicates he will."

Yourell: "Alright, maybe the synopsis is wrong. It is?"

Speaker Lechowicz: "Mr. Rigney please."

Rigney: "Yeah, yes it is. It started out as an entirely different Bill. What it was going to do was to mandatorily set the game zone for taking of racoons. That has all been Amended out of the Bill now by agreement with the Department of Conservation so now the Bill does what the Amendment says, namely give the Department the authority to set the zones by administrative order."

Yourell: "They can change that as the situation might change by administrative rule?"

Rigney: "Yeah. One of the problem right now, there are only 2."

Yourell: "I understand the problem. I didn't understand the synopsis. Thank you."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Bowman."

Bowman: "Question of the Sponsor?"

Speaker Lechowicz: "Indicates he'll yield."

Bowman: "Harlan, at the present time do we have in the statute particular periods of time for which certain animals may be taken?"

Rigney: "Yes, in broad terms, in broad bracket terms and then the Department of Conservation by administrative order determines the length of the hunting season and the trapping



season within this broad framework of dates. Now the Bill as it's Amended right now does not address the question of dates. That's not a part of it. It's the setting of the zones."

Bowman: "Ok so let me just try to understand this correctly.

We will continue to have if this Bill passes these broad brackets."

Rigney: "We absolutely will, yes."

Bowman: "Ok. So the only thing it would do then would be to allow the Department of Conservation to set a narrower range in certain parts of the State than in others or start it sooner and end it later in other...."

Rigney: "No. No, we're not talking about hunting or trapping dates. We're talking about the zones themselves. At the present time there are 2 zones in the State of Illinois and the problem is that Northern Illinois is in the zone, or the area that I'm from up there, is in the zone that comes all the way down here to Springfield and that broad of a zone simply does not serve the interests of the hunters and trappers in Northern Illinois. Our season is you know, much too early really to be lined up say like with Springfield and it's to give the Department of Conservation the authority..... What they'd like to do is to set a third zone."

Bowman: "I see. SO basically this Bill would eliminate the present statutory zoning and give the Department the power to set the zones as they see fit. Basically...."

Rigney: "That's exactly what it will do."

Bowman: "Alright. Thank you very much. No further questions."

Speaker Lechowicz: "The question is, ' Shall House Bill 1032 pass?' All in favor vote 'aye'; all opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 153 'ayes', no 'nays', none recorded as present. This Bill having received the Constitutional Majority is hereby declared passed.



The Gentleman from Winnebago, Mr. Giorgi, what purpose do you...."

Giorgi: "Mr. Speaker, for an announcement. The Bud Long School from the Chicago's 14 District is in the back gallery.

Represented by Ronan, Farley and Abramson."

Speaker Lechowicz: "Welcome to Springfield. House Bill 1165."

Clerk Leone: "House Bill 1165, a Bill for an Act to Amend an Act concerning townships. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Madison, Mr. McPike."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1165 gives townships the authority to lease property for up to ten years at fair market value. Currently cities and counties have this authority. Township do not. The Bill was Amended on the Floor to meet two objections raised in Committee. One is that if the property is leased that part that will be used for private use will be fully taxable and second of all if it's leased it will be an a competitive bid procedure. The Bill came out of Committee 14 to nothing and I know of no opposition to the Bill."

Speaker Lechowicz: "Is there any discussion? The question is, 'Shall House Bill 1165 pass?' All in favor vote 'aye' ; all opposed vote 'nay'. 'Aye'. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 146 'ayes', 4 'nays', none recorded as present. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 292."

Clerk Leone: "House Bill 292, a Bill for an Act to give peace officer status to investigators of organized fire Departments. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Terzich."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. What the Bill does is authorize a peace officer status to arson investigator, not fire fighters. It's just simply



arson investigator and as you may be aware that the National Fire Protection Association has stated that close to 50% of all fires result... are as a result of arson. It further estimates that the annual price tag for fire in the United States is at eight billion dollars and arson approximately two and a half billion dollars. Now I'm making a conscientious effort to bring this under control through expansion of our arson investigators. What the Bill does is it complies with many other States and it gives the arson investigator a peace officer status. The Bill was heard in the Committee and there was a number of Amendments and a factor which precipitated the Bill was that many administrators sited were seeking State legislation for peace officer status for the Department investigators was the fact that previously they would have to rely on the county sheriff to deputize to investigative personnel. That method was ... result in a lot of confusion and all sorts of legal challenges. What the Bill now does is that it adds the language that to an effect the peace officer powers will only be given to arson investigators who are authorized to investigate fires by the duly authorized political subdivision. It makes it clear that Fire Department investigators will only have such powers if the political subdivision authorizes the Department to conduct such investigations. If the political subdivision does not wish to allow fire arson investigators to have such powers they can delegate the investigations to the police. It also provides for peace officer training including fire arms training in accordance with the Fire Training Act. It also provides that subpoenas may not be issued until it was cleared by the State's Attorney and it came out of Committee 8 to nothing and I'd appreciate the support of House Bill 292."

Speaker Lechowicz: Is there any discussion? The Gentleman from Cook, Mr. Leverenz."

Leverenz: "Thank you, Mr. Speaker. Will the Sponsor yield?"



Speaker Lechowicz: "Indicates he will."

Leverenz: "Could you Representative estimate the number of new gun bearers there would be in the State?"

Terzich: "Well, there would be very very few. At the present time the Police Department many be working in conjunction with the Fire Department and they have a police officer and also a fire fighter. However, arson right now is considered a Class 1 felony and that if the person is designated as an arson investigator it would simply authorize him to peace officer status. I don't think that there would be an influx of many, if any. If the municipality does not designate, you know, who the arson investigators are it's really moot. If the Police Department has it now they are authorized to carry the weapons however, an arson investigator happens to be with the Fire Department, would not have that status."

Leverenz: "So conceivably in the suburban area you could have one for every municipality?"

Terzich: "Well no. There are many municipalities, for example, who cannot or do not have arson investigator forces due to the fact that they do not have the expertise or the equipment or the personnel and therefore they would rely presently on the Department of Law Enforcement who is handling the arson investigation for the State."

Leverenz: "Would they then be allowed to carry those as concealed weapons?"

Terzich: " Well, I don't know if you'd call them concealed any more than a police officer. Would he carry a concealed weapon? This is... and I might mention that the only way that these people can carry the firearms, which was Amended by Representative Johnson, was if they were in the operation of determining the cause and origin of a fire. Otherwise they are not allowed to carry the weapon."

Leverenz: "They would have to have a permit to carry a concealed weapon?"

Terzich: "That's correct and it would be in accord with



the Police Training Act. They would have to go through the same training as a police officer except they would not have to take a course in first aid and traffic violation."

Leverenz: "Would they also have to pass the range qualification?"

Terzich: "The same as a police officer. Have to go through a police officers training program."

Leverenz: "Thank you."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Mahar."

Mahar: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Lechowicz: "Indicates he will."

Mahar: "Does this indicate that, for example, in Chicago you'll have... take the investigation away from the Police Department as far as arson's concerned?"

Terzich: "No, it's not. At the present time as I mentioned to you Representative is that only if the municipality designate arson investigators. It has to... if the municipality does not designate, you know, whoever has it, they are not allowed to. The complete Department has it right now. The question is moot. They already carry firearms."

Mahar: "This then will allow the municipality by ordinance to designate arson investigation to carry arms if they so desire. Is that right?"

Terzich: "That's correct if they designate arson investigators."

Mahar: "Well if they have a bomb in arson squad at the present time why do they need firemen carrying weapons?"

Terzich: "Well, they don't. If you have a bomb an arson squad at the present time then you are charging someone to determine the cause and origin of a Class 1 felony. If he happens to be a firefighter, he cannot perform his duty because of the fact that if he's out on an investigation he cannot make any arrests. He'd have to call a policeman to make an arrest if he's sees someone setting fire to a building. So what we're saying is that, you know, we've got security guards, we've got more people, we've got pri-



private detectives. Everyone carrying... bank guards are carrying weapons. These people would have to go through the same training as a police officer. They have expertise in the cause and origin of fires and what we're saying that if you are designating, only designating, these people the same as if you designated them as a security guard can carry a gun. We're saying that if the local municipality authorizes this then they would have those rights."

Mahar: "In other words then, in summary what you're saying is that all this does is allow the people who are doing arson investigations to carry guns at the time that they're conducting the investigation only for their own protection, basically. Is that it?"

Terzich: "That's correct. And also if they are .. have someone or they see anybody performing an Act of arson they would have the right to apprehend that person. Now, at the present time if this was the case that this could be challenged in the court as to whether or not they could proceed with the investigation and the arrest of someone because they were not given the proper powers. Now many arson investigations cities and States currently have this type of legislation ."

Mahar: "One more question, if I may please. Have their been cases in where the welfare and the lives of investigators have been in jeopardy in the need for this type of legislation?"

Terzich: "Well, when you're talking about who is investigating arson and who is performing an Act of arson, now an Act of arson is a cause by a syndicate connections, by mob, by juvenile delinquents who are not the pride of the community, that set fire to these buildings. And therefore if you're investigating this type of activity certainly you're going to be going into areas where it may be necessary."

Mahar: "Thank you."

Speaker Lechowicz: "The Gentleman from Morgan, Mr. Reilly."



Reilly: "Mr. Speaker, I move the previous question."

Speaker Lechowicz: "The Gentleman has moved the previous question. All in favor signify by saying 'aye'. 'Aye'. Opposed. The previous question's been moved. Before we bring the matter for a vote, the Gentleman from Cook, Mr. Taylor."

Taylor: "Thank you, Mr. Speaker. I rise for the purpose of an introduction. We have here with us the students from Mill Stock. Mill Stock consolidated school located in the 58th District, represented by Representative Birchler, Representative Ralph Dunn and Representative Bruce Richmond. The students from Mill Stock."

Speaker Lechowicz: "Welcome to Springfield. The question is, 'Shall House Bill 292 pass?' All in favor vote 'aye'; all opposed vote 'nay'. Bruce, give me an 'aye' over there. The Gentleman from Macon, Mr. Borchers, to explain his vote. Timer's on."

Borchers: "Mr. Speaker and fellow Members of the House, I think it's... we all know arsonists can be dangerous. These people have a right to protect themselves. As far as I'm concerned if somebody wants to take a shot at me I sure as the devil want to have a right to shoot back and anyone with any common sense would realize that we should have.. or they should have the right for self protection. So certainly vote 'aye'."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Conti, to explain his vote. Timer's on."

Conti: "Well, Mr. Speaker and Ladies and Gentlemen of the House, I don't want to explain my vote but I just want to call the attention of the municipalities that do have firemen on the Kelly Day. They're off 48 hours and they're on 24 hours, have a part time job or a restaurant or a food shop where they serve liquor. Now that you make him a peace officer he falls in the same category as the policemen and he is not allowed to have that restaurant or distribute any al-



coholic beverages. That's the concern that I have. We don't have any firemen in Elmwood Park that have a tavern or a restaurant but the city of Chicago I've got many friends that do."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Barnes, to explain his vote. Timer's on."

Barnes: "Well, Mr. Speaker, Members of the House, not to explain my vote, I would have like to have asked the question so I'm going to vote probably present but I would like to know and I think we need to know whether or not these people would be allowed to carry these weapons 24 hours around the clock as policemen are now. That's a question that wasn't raised and I would have to vote present."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Terzich, to explain his vote. Timer's on."

Terzich: "Well, again, Mr. Speaker, I think I explicitly explained that the only time that they are authorized to carry the weapon is when they are in the Act of duty of investigating the cause and origin of an arson. That's the only time they can carry it, in the performance of their job. They cannot carry it off duty. Most of the arson investigators by the way are not on 24 and off 48. These are usually 8 to 5 the same as fire inspectors and what have you. And this only authorizes them in the performance of their duty and certainly they should be entitled to that privilege the same as security guards that cannot even arrest anybody and carry weapons."

Speaker Lechowicz: "Have all votes who wish? Clerk will take the record. On this question there's 107 'aye', 29 'no', 6 recorded as present. This Bill having received the Constitutional Majority is hereby declared passed. Yes, Sir. House Bill 456."

Clerk Leone: " House Bill 456, a Bill for an Act to add Sections to an Act to revise the law in relation to criminal jurisprudence. Third Reading of the Bill."



Speaker Lechowicz: "The Gentleman from Cook, Mr. Jaffe."

Jaffe: "Yes, Mr. Speaker, and Members of the House, criminal investigations..."

Speaker Lechowicz: "can't hear you Aaron?"

Jaffe: "Can you hear me now?"

Speaker Lechowicz: "Yes."

Jaffe: "Ok. Criminal investigations and prosecutions are often hampered by the fact that witnesses are unwilling to appear in court or otherwise cooperate because they are penalized or they are fired because they are taking time off to do so. What House Bill 456 does is it tries to correct this situation. Basically what House Bill 456 does is it makes a provision that no one can be discharged because of their attendance pursuant to a subpoena and we're talking about witnesses in this instance who are usually victims. The attempt proceedings are available to those who violate these provisions, to avoid due process problems it is made clear that an employer will not be fired to pay an employee or witness time for lost, for time loss in attending a proceeding. This went through a Subcommittee and the full Committee in Judiciary I. It came out with a vote of 8 to nothing and I know of no opposition to it and I would urge an 'aye' vote."

Speaker Lechowicz: "Is there any discussion? The question is, 'Shall House Bill 456 pass?' All in favor vote 'aye'; all opposed vote 'nay'. Marco. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 139 'aye', 1 'nay', none recorded as present. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 857."

Clerk Leone: "House Bill 857, a Bill for an Act making an appropriation to the Department of Agriculture. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from DeWitt, Mr. Vinson."



Vinson: "Mr. Speaker, this is just a little Bill to take care of some county fair barns that were destroyed by the ice and collapsed. I would urge a favorable Roll Call."

Speaker Lechowicz: "As a matter of courtesy, may the dollar amount be stated on the floor and if it's a new appropriation or if it's an appropriation from last year?"

Vinson: "It's a new appropriation, and it's for \$60,000."

Speaker Lechowicz: "Is there any discussion? The question is, 'Shall House Bill 857 pass?' All in favor vote 'aye'. All opposed vote 'nay'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 113 'aye', 19 'no', 5 recorded as 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 1233."

Clerk Leone: "House Bill 1233. A Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Morgan, Mr. Reilly."

Reilly: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1233 seeks to correct a problem in existing law. Existing law provides that a teacher... teachers who are two-year and new teachers who are two-year probationary period before they can possibly be granted tenure. That's existing law, and we're not changing that at all. But, the existing law does not provide...does not specify a date on which that two-year period...that two-school-year-period begins. Both sides, as I understood the discussion in Committee and as I understood the discussion with lobbyists for both sides of this, you'd agree that there is need to put a date in the law. House Bill 1233 sets that at January 1. I would ask for a favorable Roll Call."

Speaker Lechowicz: "The Gentleman from Lake, Mr. Deuster."

Deuster: "Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to this proposal. The tenure system is a system under which new teachers, those perhaps right out of college, come into a school and it used to be that they'd be



under probation for three years so that the Administrator would have a good opportunity to look over the teacher and the teacher would have an opportunity if there were some defects to have a probationary period to correct them and so that when the decision was made that the teacher would move into tenure and have virtually a guaranteed job for the rest of her life, that the Administrator would be quite satisfied that it was going to be a good teacher, one who should be tenured. That probationary period of 3 years was then reduced to 2 years and many of the Administrators will tell you that it's really hard in all cases to look over a teacher and make sure that that teacher should be in the classroom with the children, even in 2 years. Now this Bill will shorten that to a year and a half. What the practical effect of this Bill will be is that it will really be unfair for the teacher because if the Administrator and the School Board has any doubt, they will no longer have this extra 6 months to work with the teacher and to try and work to improve the teacher and take a chance on the teacher. Instead, their choice will either be A: tenure the teacher or B: discharge the teacher. And I'm telling you that the Administrators are going to discharge them because they're not going to gamble on tenuring somebody that they have any doubts about. And so although the Sponsor I'm sure and those who have suggested that this Bill be introduced and presented to you think that they might be doing the teachers a favor: They're not doing the teachers a favor. I think this will make it harder for the Administrators to determine whether a teacher is one who ought to be in the classroom for the rest of her life and I think that it will work unfairly against the young teacher coming out who might have some problem and might be able to overcome those problems, develop into a good teacher, instead that teacher will not have this extra 6 months to demonstrate his or her ability, but instead the Administrator will have to say, 'By gosh, I can't take a chance. I'm not going to



take a chance. I'm going to discharge that teacher rather than tenure them. So, the effect of this Bill is to cut the probationary period from two years to a year and a half which is far too short, and I would urge that you'd think about this one carefully and that you vote against the Bill. Thank you."

Speaker Lechowicz: "The Gentleman from LaSalle, Mr. Anderson."

Anderson: "Yeah, I rise in support of this Bill, Mr. Speaker.

It corrects a deficiency in the law. This Bill was heard in Committee, and it had bipartisan support. I think it's both fair to the teacher and to the school board. It establishes a date whereby tenure will start. I urge your support."

Speaker Lechowicz: "The Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I'd like to make two or three points in reference to this issue. Number one, if you want to discuss the question of whether they ought or ought not to be tenured, that is something separate from this. However, I would point out that under existing law, that you have a two year probationary period before you go on tenure which may, at the option of the board, be extended for another year so that, in effect, you have three years as it now stands. To place a teacher, for whatever reason, is hired after the beginning of the school year, in the middle, between whether the board is going to overlook the fact that they were hired a little late in the year and counted as the year or, to use it in another way, I think it is wrong and unfortunate. If there's any question in the minds of the Administrators of the Board that the teacher is placed in a position where they either have to put the teacher on tenure or let the teacher go, any board worth its sale...any administration worth the salary they're paid, will let the teacher go. They really have no option. They should let the teacher go. They shouldn't keep the teacher.



And, therefore, to establish a date after which the cutoff is established for counting as the year and not counting it as a year, seems to me to make a great deal of sense.

And for that reason, I stand in support of House Bill 1233."

Speaker Lechowicz: "The Gentleman from Morgan, Mr. Reilly, to close."

Reilly: "Thank you, Mr. Speaker. I think the last two Gentlemen have explained the Bill very well. The only rational question really is what the date should be. That's been debated to some extent in our Committee and will I'm sure be debated in the Senate. If there's any doubt in the Board's mind they can take the third year which they have the option to. I ask for a favorable Roll Call."

Speaker Lechowicz: "Question is, 'Shall House Bill 1233 pass?'

All in favor vote 'aye'; all opposed vote 'no'. The Gentleman from Randolph, Mr. Birchler, to explain his vote. Timer's on."

Birchler: "I just want to say that Mr. Hoffman did a good job of explaining what the Bill does. We will establish once and for all what that first year...or when that first year begins so that we won't have the arguments that we've had over a period of years. This is a good Bill."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? Clerk will take the record. The Gentleman from Morgan, Mr. Reilly."

Reilly: "Have you... would you poll the absentees please?"

Speaker Lechowicz: "As soon as the thing's on the machine. The Gentleman has asked a poll of the absentees. Will the Membership kindly be in their seats? The Clerk will poll the absentees."

Clerk Leone: "Abramson. Balanoff. "

Speaker Lechowicz: "Kindly record Mrs. Balanoff as 'aye'. Mr. Domico as 'aye'. Lechowicz as 'aye'. Kornowicz as 'aye'. Harris as 'aye'. Let's go. Tell you what. Let's dump this Roll Call. The question is, 'Shall House



Bill 1233 pass?' Kindly be in your own seats. And hit your own buttons. All in favor vote 'aye'; all opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 119 'aye', 37 'no', 3 recorded as present. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 185."

Clerk Leone: "House Bill 185, a Bill for an Act in relation to abuse and neglected nursing home residents reporting. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Bullock."

Bullock: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 185 is in fact one of the comprehensive nursing home Bills we spoke of earlier here today. This Bill originated out of a prior legislative study on long-term care. This Bill, in effect, has the unanimous support of most of the persons involved in the nursing home field including the nursing home industry itself and the Department of Public Health. The Bill came out of Committee on a unanimous vote, 13 to 0. The Bill, in effect, sets up for State codification a procedure by which persons who are suspected of either mental or physical abuse in, our nursing homes can seek relief. As you know, child abuse has been the target of well deserved attention over the years in the State and I believe it's time now for us to deal with the abuse of those at the other end of our chronological spectrum. Legislation in similar states has worked well, in New Jersey, in New York, Florida and Texas. I think that most of the Members of this House are familiar with this legislation. Comparable legislation passed this Body last year and got caught up in a crunch near the end in the Senate. I certainly would be delighted to answer any questions you have, but I think most of us are familiar with it and I've spoken to Members on the other side of the aisle and I think they will join with me in support of this



measure and I would request an 'aye' vote."

Speaker Lechowicz: "The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Has there been a Fiscal Note filed on it?"

Bullock: "Yes, Sir. \$75,000 is the Department estimate with the cost to implement the Act."

Speaker Lechowicz: "Is there any further discussion? The question is, 'Shall House Bill 185 pass?' All in favor vote 'aye'; all opposed vote 'no'. Bus, get those guys behind you. The other side. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 147 'aye', 2 'nay', 4 recorded as present. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 243."

Clerk Leone: "House Bill 243, a Bill for an Act Amending Sections of the Probate Act. Third Reading of the Bill."

Speaker Lechowicz: "The Gentlemen from Will, Mr. Van Duyne."

Van Duyne: "Thank you, Sir. Thank you, Mr. Speaker. Members of the House, presently the statutes prohibits anyone convicted of murder, actually convicted of murder, of inheriting the estate of their victim. Because of the technicality of the law, a person who is charged with murder but who is mentally ill is technically not convicted and he still may inherit the estate of the person that he killed. So House Bill 243 seeks to change that and prohibit that inheritance. It passed out of the Judiciary Committee with only one negative vote and I ask for your affirmative vote."

Speaker Lechowicz: "Is there any discussion? Yes. The Gentleman from Winnebago, Mr. Hallock."

Hallock: "Will the Gentleman yield for a question?"

Speaker Lechowicz: "Indicates he will."

Hallock: "Currently the Probate Act provides that a murderer technically is said to have predeceased the 'decedent' and therefore is not eligible to inherit anyway. So I wonder what the purpose of this proposal is?"



Van Duyne: "Well, as I explained, under ordinary criminal law a person who is not mentally ill who commits a murder is not allowed to inherit the estate of the person that he killed. But under the mentally ill portion of the Probate Act they do inherit the estate of the person they killed because of the technicality when they go into the courts they are acquitted because they are mentally ill and so that's the part I'm trying to change."

Hallock: "Thank you. "

Speaker Lechowicz: "The Gentleman from Cook, Mr. Conti."

Conti: "He'll yield?"

Speaker Lechowicz: "Indicates he will."

Conti: "Representative Van Duyne, what happened to House Bill 244?"

Van Duyne: "Well that's what we were talking about before. That is still in Judiciary.. the other Judiciary Committee and we're going to have a hearing on that this summer."

Conti: "How valid would this Bill be if 244 doesn't pass?"

Van Duyne : "Well this has to do with the Probate, the inheritance of a person's estate. The other one has to do with the prosecution in a criminal matter. Maybe one of the legal beagles in this august Body can explain a little bit more expertly than I could. Mr. Conti, this Bill was written actually by the Chicago Bar Association and it has their full support."

Speaker Lechowicz: "Is there any further discussion? The question is, 'Shall House Bill 243 pass?' I'm sorry. The Gentleman from Will, Mr. Leinenweber."

Van Duyne : "Maybe Harry could explain that a little bit better than I can."

Leinenweber: "Well I don't know if I can explain or not, but I had a question of my own. I'm reading...how many Amendments are there on the Bill LeRoy?"

Van Duyne: "Two."

Leinenweber: "Ok. And one was drafted by the Bar Association?"



Van Duyne: "That becomes the Bill itself."  
 Leinenweber: "Ok. There seems to... I don't know if this is a problem or not. As I read it, a person who intentionally and unjustifiably causes the death of another. Now, by definition a person who is insane cannot intend his Act, under the law. Doesn't that pose some kind of problem?"

Van Duyne: "Well I don't know. Harry, you either believe in this philosophy or not. I went to....."

Leinenweber: "Well, I don't quarrel with the philosophy, I just wonder whether the Bill actually means what you want it to do."

Van Duyne: "Well, the second Amendment does."

Leinenweber: "Ok."

Speaker Lechowicz: "Question is, 'Shall House Bill 243 pass?'"

All in favor vote 'aye'; all opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 133 'aye', 4 'nay', 12 recorded as present. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 319."

Clerk Leone: "House Bill 319, a Bill for an Act in relation to certain personnel selection practices. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Perry, Mr. Ralph Dunn."

Dunn: "Thank you, Mr. Speaker, Members of the House. House Bill 319 does just what the Digest says. It requires a preference given to qualified Illinois residents over nonresidents for all State employment positions covered by the Personnel Code under the Governor, the State Police Merit Board, the Secretary of State, the Employment Board .... or Merit Employment Board and the Personnel Department of the Office of the Comptroller. Each one of these Departments has.... said that this was alright with them. I asked that they be included or say that they didn't mind being included and I just be glad to answer any questions. Last



year, the Office of the Comptroller said they sent forms to some 3582 employees of the State of Illinois who listed out of State addresses as their residence during 1968. This is about 3.12%, a little over 3% of all the State employees, lived out of State. This is not a mandatory. I don't think it's any conflict of Federal jurisdiction. It just says that preference will be given and it'll mean some \$50,000,000 more that go into State... I understand you can't hear me. I didn't think anybody listened anyway. I'd ask for a favorable Roll Call on this. I'd be glad to answer any questions about House Bill 319."

Speaker Lechowicz: "The Gentleman from Winnebago, Mr. Giorgi, to respond. The Lady from Cook, Mrs. Pullen."

Pullen: "Thank you, Mr. Speaker. I think this is an excellent Bill and long overdue. My only regret is that it does not apply to Department Directors as well. I urge everyone to vote 'aye'."

Speaker Lechowicz: "Is there any further discussion? The Gentleman from Sangamon, Mr. Kane."

Kane: "Would the Sponsor yield for a question?"

Speaker Lechowicz: "Indicates he will."

Kane: "What do you mean by preference? Does that mean that if there's an in-state and out-of-state applicant for a job that the in-state applicant has to be hired? What is the substantive meaning of preference?"

Speaker Lechowicz: "Mr. Dunn?"

Dunn: "If the ...they're qualifications are as good as or better than the out-of-state... the Bill says in the substantive part of the Bill ... it says that no person who is a nonresident of the State of Illinois may be selected to fill a position for which this Code applies unless there's no Illinois resident otherwise available and qualified for that position. The application of this ... that's the gist of the Bill."



Kane: "Does this apply to institutions of higher education?"

Dunn: "I think it applies to every State employee."

Kane: "Does that include University professors?"

Dunn: "They're not on the Personnel Code so it wouldn't include them. See this is under the Personnel Code of the Governor, the Comptroller, the Secretary of State and under the State Police Merit Board. It just covers those. It doesn't cover people that are under tenure in the university or school system."

Speaker Lechowicz: "The Gentleman from Williamson, Mr. Harris."

Harris: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. There are documented case around this State where people working in the State, not paying any taxes... that they're taking tax money and I feel strongly that we should have people in this State have priority. I know in the court it probably wouldn't stand up but we can give some kind of priority to those who are supporting State government and those who are paying our salaries and I think Mr. Dunn has a very good piece of legislation here."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Katz."

Katz: I rise in opposition to House Bill 319. Now I thought we had one union indivisible with Liberty and Justice for all. It seems to me if somebody comes from Indiana and he is the best person for a position that merit employment ought to govern and we shouldn't hold it against him that he lives in Indiana or Missouri or that he lives in some other State. If we do it the other states are going to do the same thing. They'd retaliate and pretty soon we'll end up with the United States like the East Balkan part of Europe. I do not approve of this kind of approach. I believe that merit ought to govern and accordingly I will oppose this Bill."

Speaker Lechowicz: "The Gentleman from LaSalle, Mr. Anderson."

Anderson: "Will the Sponsor yield for a question?"

Speaker Lechowicz: "Indicates he will."



Anderson: "Under our analysis that says the wording of the Bill specifies that no out-of-state persons could be hired if an Illinois were qualified and available. However, though, there's no requirement in this Bill that says that the person from Illinois need to have applied for the job.

Can you clear that up for me?"

Speaker Lechowicz: "Mr. Dunn please."

Dunn: "I'll be glad to respond. This says that if they apply for a job and if there's application... applicants for the job. I'm sure they would have to apply because under the Employment Code it's not... it Amends the Employment Code."

Anderson: "I see. SO therefore you do... you have to have applied for the job? Then the analysis is wrong?"

Dunn: "You would have to be available for employment and as for the job, you couldn't expect them to not hire...is this what you're saying?"

Anderson: "Yes, Sir."

Dunn: "Hire someone who's not available.... You wouldn't apply to this. This applies to the people who apply for State employment and give preference to people of Illinois. We talked about and probably could have gotten.. or would have maybe gotten an executive order, but this would have more meaning to have it in the statutes and so I choose to try to do it this way."

Anderson: "Thank you."

Speaker Lechowicz: "The Gentleman from Coles, Mr. Stuffle."

Stuffle : "Yes, Mr. Speaker and members. We responded to some questiona in Committee nad on the Floor about this Bill by offering two Amendments to clean it up as I recall. It put all the merit systems in it. Representative Dunn has an excellent Bill. If you look at the record in Illinois, we're one of the worst states for bringing in people from out-of-state when we've got qualified constituents right in our own districts who can fill state jobs. They've got to qualify



otherwise still to get the jobs as Representative Dunn said. One-third of the new State police hired were from out-of-state. We went out of Illinois. We've done searches at great cost into the thousands of dollars just on individual cases to go to Pennsylvania and Massachusetts, throughout the country to pick up people when we have qualified people in our own state. If other states want to adopt this, fine. We're one of the worst people for abusing ourselves that I know of and giving other people jobs that ought to be going to Illinois residents and for that reason the Bill should get an overwhelming affirmative vote."

Speaker Lechowicz: "The question is, 'Shall House Bill 319 pass?' All in favor vote 'aye'; all opposed vote 'no'. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 132 'aye', 20 'no', 1 recorded as present. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 330."

Clerk Leone: "House Bill 330, a Bill for an Act to provide for the tax on persons engaged in sale at events of the type commonly known as flea markets. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Kornowicz."

Kornowicz: "Speaker, Members of the Committee, this is a Illinois Flea Market Tax Act and we have an Amendment 1 which would exempt all religious charitable and nonprofit enterprises as defined by Section 1 of the Retailers' Occupation Tax Act as approved on June 28, 1933, now hereafter and Amended. And then on page 3, inserting the word 'nor' instead of 'upon'. I ask you for your favorable vote."

Speaker Lechowicz: "Is there any discussion? The Gentleman from Whiteside, Mr. Schuneman."

Schuneman: "Question of the Sponsor..."

Speaker Lechowicz: "Indicates he'll yield."

Schuneman: "Representative, what is the projected revenue from this Illinois Flea Market Tax?"



Kornowicz: "The exact figure I don't have but I know that this is a revenue item and this is a... an industry that we never collected a penny from and there's big operations and I think we should collect this revenue."

Schuneman: "You don't know how much revenue this will raise?"

Kornowicz: "I have no figure."

Schuneman: "This only applies to flea markets, is that right?"

Kornowicz: "That's right."

Schuneman: "It doesn't yet apply to exhibits like might be held in McCormick Place in Chicago or...."

Kornowicz: "No."

Schuneman: "... any of the other exposition centers throughout the state."

Kornowicz: "No, Sir."

Schuneman: "It only applies to flea markets and you don't know how much money will be raised?"

Kornowicz: "Well there is a ..quite a bit of revenue of that should come in because they are being taxed 5% and at the same time, these individuals are collecting from 10 to 15 dollars for table space and this would be additional revenue..."

Schuneman: "Ok.."

Kornowicz: "... that we would be collecting."

Schuneman: "So this would impose a tax of 5% on the admission fees. What about taxes to and also a tax then on the space fees that are charged to these flea market participants? Is that correct? If I.. If I... right. to the exhibitors"

Kornowicz: "That's right, 5%."

Schuneman: "Ok. Mr. Speaker, could I speak to the Bill?"

Speaker Lechowicz: "Please proceed."

Schuneman: "Well, Mr. Speaker, I rise in opposition to this Bill. I think it's rather frivolous Act to pass and obviously the Sponsor doesn't know what the revenue impact will be. It seems to me that it's simply one more layer of government put on, some activities that have arisen in the State the last few years and I think it's entirely useless and



I think we ought to defeat the Bill." I don't have a vote.  
 Speaker Lechowicz: "The Gentleman from Cook, Mr. Kornowicz,  
 to close."

Kornowicz: I ask for a favorable vote."

Speaker Lechowicz: "Question is, 'Shall House Bill 330 pass?'

All in favor vote 'aye'; all opposed vote 'no'. Have all  
 voted who wish? Have all voted who wish? Have all  
 voted who wish? Clerk will take the record. On this question  
 there's 76 'aye', 57 'no', 4 recorded as present. The  
 Gentleman from Cook, Mr. Kornowicz. Gentleman asks leave  
 to put this on Postponed Consideration. Bill is on  
 Postponed Consideration. House Bill 516."

Clerk Leone: "House Bill 516, a Bill for an Act to add Sections  
 to the Game Code. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Williamson, Mr. Harris."

Harris: "Thank you, Mr. Speaker, Ladies and Gentlemen of the  
 House. The purpose of House Bill 516 is Amends the Game  
 Code of 1971 makes lawful use of either lead or steel  
 shot gun pellets in hunting migratory water fowl. This  
 Bill was recommended by the Illinois Wildlife Federation  
 and also the Hunting Clubs throughout the State on migratory  
 water fowl. I'd like to have a favorable vote on this  
 piece of legislation."

Speaker Lechowicz: "Any discussion? Question is, 'Shall House  
 Bill 516 pass?' All in favor vote 'aye'; all opposed vote  
 'nay'. Record me as 'aye' please. Have all voted who wish?  
 Have all voted who wish? Clerk will take the record. On  
 this question there are 132 'aye', 11 'nay', 11 recorded  
 as present. This Bill having received the Constitutional  
 Majority is hereby declared passed. House Bill 547."

Clerk Leone: "House Bill 547, a Bill for an Act to provide fuel  
 cost relief grants to senior citizens and disabled persons.  
 Third Reading of the Bill."

Speaker Lechowicz: "Have a little order in the House please.  
 Would the Gentlemen kindly be in their own seats? Would



the Gentlemen kindly be in their own seats. The Gentleman from Madison, Mr. Sharp."

Sharp: "Yes, Mr. Speaker, Members of the House, House Bill 547 is legislation that Representative Madigan and I worked on as Chief Cosponsors as well as many other Members of the House concerning the problems that senior citizens and disable persons living on fixed incomes or having difficulty in meeting the escalating costs of utilities. And in utilities we're talking about electricity, and gas used to light and heat our homes. House Bill 547 is legislation that will lessen the impact of these escalating costs and utilities. We have noticed a dramatic increase in the cost of utilities, especially during the past 3 years in the average cost per household and I think in the unforeseeable future we realize that these costs are going to continue going up with dramatic rate. Those living on a fixed income are the households that are being hit the hardest. The households that fall into the circuit breaker category have about half the income as the other households in the state and yet the costs of their utilities are comparable to the other households in the state. In an attempt to address this problem we drafted House Bill 547 which provides for an annual grant based upon the average annual increase in the cost of the utilities per household for the previous year. According to the projections that have been made, the cost of this program for the coming Fiscal Year would be in the range of 16 to 20 million dollars. It provides for grants up to 75% of the average annual increase over the previous year of these utility costs. One of the questions that will come up is how are we going to pay for it. Well as the cost of the utilities in the state increase, the amount of utilities tax receipts increase at a faster rate. During the past three years for example, the utility tax receipts increase by 33 million, 55 million, 43 million and for the



first 8 months of this Fiscal Year the receipts increased by over \$34,000,000. The cost of this program is about \$16,000,000 to \$20,000,000. We 're saying that we should take some of the revenues generated by the increased costs in utilities through the utility tax and turn it back to the households that can least afford these increased costs in their utility bills. If the senior citizens and disabled persons living on fixed incomes that can least afford these increases cost and we're proposing to assist these people through expanding the circuit breaker program so they receive grants based upon these annual average increases and I would ask for your favorable support."

Speaker Lechowicz: "Any discussion? The question is, 'Shall House Bill 547 pass?' All in favor vote 'aye'; all opposed vote 'no'. Have all voted who wish? Mr. Kosinski? Have all voted who wish? Sparky please. The Gentleman from Lake, Mr. Matijevich. Explain his vote. Timer's on."

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, I think there's enough votes up there now so I'll just keep quiet. I'll leave it for one of the other public utility Bills."

Speaker Lechowicz: "Thank you very much. Have all voted who wish? The Clerk will take the record. On this question there's 96 'aye', 48 'no', 6 recorded as present. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 608."

Clerk Leone: "House Bill 608, a Bill for an Act to Amend Sections of the School Code. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Madison, Mr. McPike."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 608 provides that the funds accum..."

Speaker Lechowicz: "Mr. McPike please?"

McPike: "Provides that the funds accumulated from the Special Education Facilities Tax in the School District may be transferred to the districts operations billing and maintenance."



fund if approved by the district voters at a referendum. Now, I Amended this in Committee to provide that two other safeguards. One of the Amendments requires that the local Superintendent, State Superintendent of Education certify that adequate provisions have been made for all the handicapped students residing in the school district. I already stated that it's by referendum only and finally this... there's a sunset provision on here that the referendum must be held prior to July 1, 1981. Now, very briefly why this is necessary that some years ago we allowed school districts to levy a 4c tax to construct special ed facilities. A few and probably a very school districts in this state no longer have needs of these funds that have accumulated. One in particular, in my area, levied a tax from 1969 until 1973. They accumulated a total of \$128,000. That money has been sitting since 1973 drawing interest. They have no use for it. They would like to use this... use these funds for legitimate other needs and that would be in the building and maintenance fund. So I think that I'm trying to address a very specific problem that will probably only occur in a few school district in the state. I think the safeguards provided in here will insure that the special education funds are not indiscriminately used for other purposes. I think it applies to a very specific problem, in my district and perhaps one or two others. And I would solicit your support."

Speaker Lechowicz: "The Lady from Cook, Mrs. Hallstrom."

Hallstrom: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Oh excuse me. I understand I believe what the Gentleman, the Sponsor, is trying to get to and it may be a problem in his specific district but to now say through state law that we can use special education funds for general education when Public Law 94-142 is with us, I am strongly opposed to this. That money was raised for



"and special education purposes and in no way have we answered the needs of the handicapped children in this state. Thank you."

Speaker Lechowicz: "The Gentleman from Kane, Mr. Waddell."

Waddell: "Would the Sponsor yield?"

Speaker Lechowicz: "Indicates he will."

Waddell: "According to the provisions that you have here, you would then petition Dr. Cronin for some action prior to the time that local action could be taken?"

Speaker Lechowicz: "Mr. McPike please."

McPike: "No, we petition the local superintendent of education, not Dr. Cronin. Yes, the Regional Superintendent."

Waddell: "The Regional Superintendent?"

McPike: "Yes, the Regional Superintendent has to certify to the State Superintendent of Education that adequate provisions have been made for the handicapped students residing in that school district. So, it's up to the Regional Superintendent to make the certification."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Meyer."

Meyer: "Thank you, Mr. Speaker, question of the Sponsor."

Speaker Lechowicz: "Indicates he'll yield?"

Meyer: "Our staff analysis indicates that Amendment #1 has something to do with a thousand dollars state reimbursement for professional employ. What's that about?"

McPike: "That was the original amount allocated to these districts of the \$128,000 that has been accumulated, 2,000 of that may at one time have been given to that District by the state as a grant from the state for these... for this use and the staff simply pointed out that the..if I intended to transfer the entire \$128,000, I should include this Section that would allow the transfer of one, two, or three thousand dollars, whatever it would have been that had been given by the state some years ago for these purposes."

Speaker Lechowicz: "The Lady from Cook, Mrs. Willer."



Willer: "Yes, the question for the Sponsor... you say that this referendum may not be held after 1981, is that correct?"

McPike: "That's correct."

Willer: "And also after 1981 if the funds continue to accumulate it wouldn't matter. It would stay in that fund, I presume."

McPike: "That is correct."

Willer: "And this 4% in continuing to be levied to this day?"

McPike: "In this particular instance, no it's not. The 4% that was levied was levied between 1969 and 1973 and then discontinued, the funds that were accumulated have been sitting in an account since 1973."

Willer: "Well I guess what I was trying to get at is, would this happen again then? Obviously it wouldn't build up again because you haven't... you've discontinued the levy."

McPike: "Well I don't think it would happen again. All I'm saying is that there may be a few school districts in the state that this would apply to. It applies to one in my district, possibly one or two others in the entire state."

Willer : "Thank you."

Speaker Lechowicz: "The Lady from Cook, Ms. Pullen."

Pullen: "The problem is that the problem may exist in only one or two districts, but all the districts can use this Bill as an excuse to do something they shouldn't be doing. Several years ago the Special Education, levy for special education building was being diverted to other purposes, such as Administrative Offices that happened to house psychiatrist and things of that sort. We tightened up the law very wisely to say it had to be used for special education purposes only if a special tax were going to be levied. At a time when the federal law unfortunately, in my opinion, is coming along and restructuring our special education program and is going to be forcing even better identification of handicapped children and calling for even more children to be educated, special education children to be educated in the public schools and unfortunately reducing



the effect to the private sector in educating these children, we are going to be needing unfortunately more special education facilities in the public schools, not fewer. And I think if the Gentleman who is Sponsoring this Bill will wait a year or two until the federal laws' full implications are understood he will find that his district will very much be able to use these funds for the purposes for which this General Assembly in previous years has required they be used. We are going to be needing more facilities for handicapped children, not fewer and if this Bill is passed and school districts begin to divert their special education building funds for other purposes, they will soon have to raise taxes for special education facilities when they already had the money there to begin with. This is really a tax increase for building purposes and I think it should be defeated."

Speaker Lechowicz: "The Gentleman from DuPage, Mr. Schneider."

Schneider: "Thank you, Mr. Speaker and Members of the House.

608 was Amended in Committee to take care I think of some of the concerns that have been addressed on the floor as I understood them. One in particular perhaps could be directed at the last Speaker, although maybe not to her satisfaction, is basically the sunset provision for July 1, 1981. This proposal came before the Committee two times. We Amended it to make it quite narrow and I think appropriately so for Representative McPike's particular district. I think it's an acceptable way to deal with surplus monies. It has many guarantees for protection that relate to the local district as well as state-wide. I don't think it jeopardizes any programs. I don't think it's going to induce any habits to expend money as described again by the prior Speaker. I think it's a good Bill. I think it's a way to resolve the problem locally and I would therefore ask that there be an 'aye' vote on the proposal."

Speaker Lechowicz: "The Lady from LaSalle, Mrs. Breslin."



Breslin: "Mr. Speaker, I move the previous question."

Speaker Lechowicz: "The Lady has moved the previous question.

All in favor signify by saying 'aye'; 'aye'; 'opposed. The previous question has been moved. The Gentleman from Madison, Mr. McPike, to close."

McPike : "I thank you, Mr. Speaker. I understand that there is hesitation to vote on any legislation that takes the funds away from special education that were originally meant for that and only that purpose. And I have honestly tried to put every safeguard that I can possibly can. When we pass a law we say it applies to every... every district in the state. Occasionally we come under unusual circumstances that that specific law does not apply. In this District that I'm talking about, we have 15 students who are adequately provided for. They have been... the facilities they use have been inspected by the state. They need no other facilities. So I very narrowly said that in this circumstance, if, if and only if, first the Regional Superintendent says there is no need for the money, and he certifies this to the State Superintendent, and second of all, if they go to the public and say, buy a front door referendum, by referendum, we would simply like to transfer these funds, and thirdly we put a sunset provision on it. I don't know how narrow we can get. If we want local people to have any local control and local options, this is one chance where we have defined it so narrowly that they really can't take advantage of it and we're not going to see a rush of school districts misappropriating special ed funds... a very narrow Bill. It applies to very few districts and I think that those Speakers rising in opposition are waving red flags for no reason. I would encourage an 'aye' vote."

Speaker Lechowicz: "The question is, 'Shall House Bill 608 pass?' All in favor vote 'aye'. All opposed vote 'no'. Have all voted who wish? Have all voted who wish? Clerk



will take the record. On this question there's 108 'aye', 37 'no', and 9 recorded as present. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 676."

Clerk Leone: "House Bill 676, a Bill for an Act to Amend Sections of the Revenue Act. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Madison, Mr. Sam Wolf."

Wolf: "Thank you, Mr. Speaker and Member of the House. House Bill 676 is a simple Bill just to Amend the Revenue Act of 1939 to allow town collectors to request the Board of Town Auditors to designate a savings and loan association as a depository of town funds. This is permissive legislation, not mandatory. A savings and loan so designated would be required to furnish corporate authorities with all of the sworn statements of resources and liabilities as are required to be furnished state and federal regulators. This legislation is strictly in line with the 1976 Attorney General's opinion, which indicated that public funds could be deposited in these institutions. The restriction in so far as investment of these funds are the same restrictions that apply to investment of funds of the town collector in commercial banks and I would simply appreciate your favorable support."

Speaker Lechowicz: "Any discussion? Question is, 'Shall House Bill 676 pass?' All in favor vote 'aye'. All opposed vote 'no'. 'Aye' please Teddy. Thank you. Yeah come on, Marco. Get down here. Have all voted who wish? Clerk will take the record. On this question there's 146 'aye', 5 'no', 4 recorded as present. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 727."

Clerk Leone: "House Bill 727, a Bill for an Act to Amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Telcser."

Telcser: "Mr. Speaker, can I have leave from the House to hear



House Bills 727,730,731,732,733, and 734 together constitute a Roll Call? They're all the exact same subject matter."

Speaker Lechowicz: "Does the Gentleman have leave? Hearing?"  
no objection, Clerk read the Bills."

Clerk Leone: "House Bill 730, a Bill for an Act to Amend Sections of the Illinois Pension Code. Third Reading of the Bill. House Bill 731, a Bill for an Act to Amend the Illinois Pension Code. Third Reading of the Bill. House Bill 732, a Bill for an Act to Amend the Illinois Pension Code. Third Reading of the Bill. House Bill 733, a Bill for an Act to Amend Sections of the Illinois Pension Code. House Bill 734, a Bill for an Act to Amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Telcser, on those series of Bills."

Telcser: "Mr. Speaker, Members of the House, these Bills passed out of the Pension Committee on the Consent Calendar and Members on my side of the aisle took them off Consent and put them on the regular order of business. I've since talked with those Members. I don't know yet if they still object to the Bills. However, I do want you to know that these are permissive Bills. The Pensions funds that would be affected would simply have the authority if they wished to invest their funds in securities of Asian Development Bank. Currently in Illinois those funds which are being managed by the State Board of Investments have that authority. There are some funds at this point which do not have the authority to invest in that type of investment vehicle if they so choose. Any pension fund which does not wish to have that authority and has contacted me, I have tabled their Bill. Let me simply say, Mr. Speaker and Members of the House, that the bonds and securities of this development bank have a triple A Standard and Poor's rating and a Moodies rating of A-AA. There's never been any default. They return a good rate of interest and I think would be



in the best interest of these pension funds to have that authority to make the investment and the best interests for our country. Appreciate a favorable Roll Call."

Speaker Lechowicz: "The Gentleman from Macon, Mr. Borchers."

Borchers: "Yeah, would the Sponsor yield for a question or two?"

Speaker Lechowicz: "He indicates he will."

Borchers: "I'd like to know what these people do... what is their investment? What is... how do they make their money?"

Telcser: "In the mid 60's, Representative Borchers, the United States Government along with Britain, Canada, and forty-one other countries formed the World Asian Bank. The purpose of the Bank is to aid underdeveloped nations in Asia. The money is lent to these countries in order for them to do things such as building power plants such as building irrigation systems for their crops. It's a borrowing of funds which are paid back to the Bank and there's not yet been a default and no defaults are anticipated."

Borchers: "Well, obviously then, these bonds are not on the bond ... on Wall Street... or.."

Telcser: "Yes they are. Yes."

Borchers: "They are on Wall Street. What are they selling for right now?"

Telcser: "I didn't look at today's papers for a quote, Representative, but I do want, as I said before, Standard and Poor's gives them a triple A rating and Moodies also gives them what I believe is their highest rating, an A and an A-AA."

Borchers: "Would you happen to know if Uganda some years ago was able to borrow money from this fund?"

Telcser: "Uganda is not a Member nation Representative."

Borchers: "What are some of the African countries for example that are receiving money on Asian.... well wait a minute. Are any Asian.... are any African countries receiving funds from this fund?"

Telcser: "No, Representative. The only Members... the only Members



of this bank are in the Asian part of the world."

Borchers: "And what about ... well do you mean the Middle East or do you mean...."

Telcser: "No, they are...."

Borchers: "...like Bangkok..."

Telcser: "Want me to read you the countries?"

Borchers: "But go ahead. I'm interested in hearing that. I think everone else should be."

Telcser: "The nonregional countries who contribute are Austria, Belgium, Canada, Denmark, Finland, France, Germany, Italy, the Netherlands, Norway, Sweden, Switzerland, the United Kingdom, and the States."

Borchers: "I'm sorry, I meant I would like to hear...."

Telcser: "Now the regional Members... I want to give them to you all, Representative, the regional Members are Afghanistan, Australia, Bangladesh, Burma, Cambodia, the Republic of China, that's Taiwan, Representative, the Cook Islands, Fiji Islands, the Gilbert Islands, Hong Kong, India, Indonesia, Japan, Republic of Korea, Laos, Malaysia, Nepal, New Zealand, Pakistan, Papua New Guinea, the Philippines, Singapore, the 'Salamon' Islands, Sri Lanka, Thailand, Tonga, Vietnam, and Western Samoa."

Borchers: "Then Vietnam, North or South are now one, considered one Vietnam. They're getting money and...."

Telcser: "Representative please, don't.... Vietnam became a Member of the Bank before the Communist take over and since that time they have not received any funds nor have they asked for any."

Borchers: "Are they paying their interest? If they're receiving any funds..."

Telcser: "To the best of my knowledge, they're meeting their obligations and I believe there's a \$66,000 out standing obligation which to the best of my knowledge, they have been meeting."

Borchers: "And what about Cambodia?"



Telcser: "I am not aware that Cambodia has any funds outstanding nor have they applied for any, but I think the point Representative, if they became a Member before the political unrest in that country..."

Borchers: "I would trust Australia, but there are I would say more than half of those countries that I wouldn't invest my money under any circumstances whatsoever."

Telcser: "Representative, I'd be delighted to invest in anything that Standard and Poor gives a triple A rating to, or Moody's rate so high. And let me also say that...."

Borchers: "I want to know more about the triple.... who made the triple A rating and how perhaps the strings are pulled. When you get into international situations, you better watch out."

Speaker Lechowicz: "The Gentleman from Kane, Mr. Waddell."

Waddell: "Mr. Speaker, would the Gentleman yield?"

Speaker Lechowicz: "Indicates he will."

Waddell: "This is very interesting to me for the simple reason that we here hear that we should be investing and sending capital resource to Asian countries. Would you tell me what the State of Illinois' rating is right now?"

Telcser: "You mean their bonds, Representative?"

Waddell: "Yes."

Telcser: "I have no idea. It's a triple A. Representative Totten tells me triple A. And by the way, Representative, I know your interest in Illinois currently because of the ability of those nations to borrow funds, Illinois companies are beginning to get contracts for that work. There are currently \$12,000,000,000..... \$12,000,000 worth of loans pending for which many Illinois companies are bidding for those services."

Waddell: "Mr. Speaker, I'd like to address myself to this issue."

Speaker Lechowicz: "Please proceed."

Waddell: "Number 1; we are hassled everyday down here by the Governor's people to keep things in line so that we do not



destroy our own rating. Here we are asked to permit funds from the State of Illinois to be invested in Asian securities of one type or another. It would seem logical to me that if we've got this kind of money we then should be investing in the State of Illinois and making such loans and improving our own rating so that the Governor's not going to worry himself sick on the second floor about where we are financially I'd say 'no'."

Speaker Lechowicz: "The Gentleman from Peoria, Mr. Schraeder."

Schraeder: "Well, Mr. Speaker, I think this is an excellent program that Representative Telcser's promoting. I'd just like to quote a few things for you here. First of all if you think this is a shaky venture, you've got to be absolutely wrong. The United States Government is allocated one billion, one hundred and forty-two million dollars in this. They guarantee the payments of debt to the Asian Bank. I don't know what you can do that's any stronger than the backing of the United States Government's good will and faith. I think that's essential. But again, I'm going to be a little bit partial. I think is a venture that Illinois ought to be involved in. It's been a major factor, the Aisan Bank and the development of the Asian countries. And let me tell you this, we get from those countries eighty-six % of the natural rubber, we get eighty-five % of the United States tin from Malasia, Thailand and Indonesia, supplies 75. And all this is to the benefit of our country. Now specifically as to my location and my district, we have many industries that are supplying goods and serivices to these countries and it is an essential thing for the economy of Illinois and the United States that we continue to do so. I think Representative Telcser 's got an excellent Bill and ought to be passed."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Bowman."

Bowman: "Mr. Speaker, I move the previous question."

Speaker Lechowicz: "The Gentleman has moved the previous question."



All in favor signify by saying 'aye'. Opposed. The previous question has been moved. The Gentleman from Cook, Mr. Telcser, to close."

Telcser: "Mr. Speaker and Members of the House, I think Representative Schraeder summed up very well what I believe to be a good program and I'd appreciate your favorable vote."

Speaker Lechowicz: "The Gentleman has leave of the House for one Roll Call on House Bills 727, 730, 731, 732, 733, and 734? Any objections? Hearing none we'll have one Roll Call on all those Bills. The question, 'Shall those Bills pass?' All in favor vote 'aye'; all opposed vote 'no'. The Lady from Cook, Mrs. Willer, to explain her vote. The timer's on."

Willer: "Well, I'm sorry I couldn't ask a question because my vote is going to be partially based on it, maybe the Sponsor can help me out."

Speaker Lechowicz: "He can respond to you ma'am in explaining his vote."

Willer: "I would like to know if the return on this sort of investment is higher than the average return we are getting on our pension funds now. I would tend to support this if he said yes. I'm not worried about being safe and .... a lot of Illinois pension systems that are grossly, woefully, conservatively invested compared to other states like Pennsylvania and New York."

Speaker Lechowicz: "Mr. Telcser, there's some other people. I'll recognize you to answer your to explain your vote. The Gentleman from Cook, Mr. Katz."

Katz: "Mr. Speaker along with the question raised by the distinguished woman, Mrs. Willer, I'm not sure that I understand why we're doing this. Is it because the yield is higher: is it because we are trying to promote these countries? I'm not sure the motivation for it. I know that when we



Speaker Lechowicz: "The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Mr. Speaker, Members of the House, at the very time we're talking about this Bill, the state of Illinois is trying to attract a factory from Japan to locate in Illinois. At the very time we consider this Bill, we're trying to sell soybeans, corn, American grain exports all over Asia. If you don't think the welcome that our sellers, our salesmen receive when they attempt to operate in a world-wide economy is affected by how we vote on Bills like this and by the cosmopolitanism we're able to demonstrate on a few Bills like this, then you're sadly mistaken. We can stimulate the Illinois economy and particularly the farm component of the Illinois economy, very strongly by showing that we recognize it has an impact on international trade. I urge an 'aye' vote on this."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Kelly. The Timer's on."

Kelly: "Yes, Mr. Speaker, I did want to ask the Sponsor a question about the insurance protection. Representative Schraeder pointed out that there was a protection by the United States Government, I suppose. And I wanted to find out if this is similar to the FDIC with our own banking institutions. It's even.. I don't know. It seems like a problem. If we're backing up the foreign investments with our own insurance protection, that's even questionable. But I did want to know just who is guaranteeing these.. these investments. These are state pension programs and I just think it's.. it could be a problem."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Telcser, to explain his vote and answer those questions."

Telcser: "Alright, Mr. Speaker. I'm trying to remember the questions one by one. First of all, Representative Willer asked about the rate of return. Last week I looked in the paper, the bonds from this investment fund returned eleven point some percent. That return was higher than General Motor's



bonds or Ford Motor Company bonds. So in response to your question, yes, the rate of return is higher than the usual bonds which are found in the bond market, listed everyday in the newspapers. Let me go to Representative Katz's comments. Apparently he missed some. The obligations of the Asian Development Bank are protected by a commitment of capital pledged by the United States Government. Congress has set aside money, as callable capital, in the event there should be a default and I think this also answers to some extent, Representative Kelly's question. The United States Government and the Congress stand behind the bonds of the Asian Develop....."

Speaker Lechowicz: "Please continue, Sir."

Telcser: "Alright, so I think I've answered Representative Willer's questions, Representative Katz's questions, and Representative Kelly's questions. Let me also say that our own Pension Fund today has the authority to make these investments. ANY pension authority in the state that is managed by the State Board of Investment already has this permissive authority to make this type of investment. All we're asking is to make it permissive for a few of the other pension funds to make this type of investment if they so choose. This.. this has been the policy of the United States Government for all of the Presidents since the mid 60's, of both political parties. There are many countries in this part of the world from which we import vital important goods in the United States."

Speaker Lechowicz: "The Gentleman kindly bring his remarks to a close?"

Telcser: "When those countries prosper and do well, they help us and Illinois companies help because they receive business when they bid on jobs which are funded by these bonds."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. Mr. Schraeder,



...you spoke in debate, Sir. Oh, Mr. Bradley, kindly... let  
 Mr. Bradley explain his vote."

Bradly: "Thank you, Mr. Speaker. I'd like to point out a couple  
 of things I think are very important that Representative  
 Vinson hit upon. It's going to affect more than just the  
 farming industry. We had a visit down here from the Chicago  
 Port Authority who wants the Chicago Port to start supplying  
 the shipping of grain and having us ship the grain through  
 the Chicago Port Authority rather than down the Illinois  
 River through Memphis. I'd like to indicate to you in the  
 minds of down-staters that just last November on one occasion  
 Taiwan was here and purchased \$32,000,000 worth of soybeans  
 at one crack and the state of Illinois is the largest ex-  
 porter of grain in... of all the states in the union.  
 It's something that we ought to think about and they're  
 coming back here next month. We passed a Resolution that  
 they're very interested in. We've had calls from them as  
 was pointed out by Mr. Telcser, they are watching what  
 we're doing and I urge a green vote on this particular Bill.  
 It's a very important one, especially to down-staters that  
 have farming communities that they're representing farmers.  
 Believe me."

Speaker Lechowicz: "The Lady from Adams, Mrs. Kent, to explain  
 her vote. Timer's on."

Kent: "It is too late for me to ask a question."

Speaker Lechowicz: "Yes, Ma'am."

Kent: "Well I'll make it in a comment then."

Speaker Lechowicz: "Fine, make a comment."

Kent: "What worries me is what would happen if it was... if they  
 nationalized like they have done so often and then they  
 take all of it and it's all too late. These are the things  
 that worry me because our businesses have been hurt that  
 way and I just hate to do it with someone else's money."

Speaker Lechowicz: "The Gentleman from Sangamon, Mr. Kane, to  
 explain his vote. The timer's on."



Kane: "Mr. Speaker, Ladies and Gentlemen of the House, I think I ought to point out that if you look at the comparative stability of the economies of these countries and the stability of the economy of the United States, and we're wondering whether or not we should be investing in these bonds. I would say that if we were going to invest in the bonds of the United States and then look at what has happened in the money market of the world in the last several years, that an investment in the Asian countries are probably a lot safer, a lot more productive and I think that some of these votes indicate a longstanding prejudice that we have had against people from other countries and I'd urge an 'aye' vote."

Speaker Lechowicz: "On this question there are 84 'ayes', 38 'no', the Gentleman requests a poll of the absentees. Clerk will kindly poll the absentees."

Clerk Leone: "Jane Barnes."

Speaker Lechowicz: "Jane Barnes, 'aye'."

Clerk Leone: "Braun. DiPrima. Doyle. Ralph Dunn. Epton."

Speaker Lechowicz: "Epton 'aye'."

Clerk Leone: "Flinn. Gaines. Emil Jones. Kozubowski. Kucharski. Laurino. Marovitz. Mautino. McGrew. Oblinger. Reilly. Schoeberlein. E.G. Steele. Totten."

Speaker Lechowicz: "Totten 'aye'."

Clerk Leone: "Sam Wolf. Younge. Mr. Speaker."

Speaker Lechowicz: "The Gentleman... kindly record the Speaker as 'aye'. And Giorgi as 'aye'. Mr. Stearney? Kindly record Mr. Stearney as 'aye'. Mr. Richmond as 'aye'. Mr. Birchler? Kindly change Mr. Birchler from 'no' to 'aye'. Wait a minute... Mrs. Reed, change her from present to 'aye'. Mr. Ronan from 'no' to 'aye'. Mr. Slape, change Mr. Slape from 'no' to 'aye'. Mr. Bell as 'aye'. Ladies and Gentlemen, it's very difficult for the Clerk to make all these changes so just take your patience for a moment please. Mr. DiPrima, want a new Roll Call?"



DiPrima: "Yeah." The Speaker: "The Bill is now being read by the Clerk." Speaker Lechowicz: "Alright. On those series of Bills all those in favor vote 'aye', all opposed vote 'nay'. Have all voted who wish? As you want to be wished? Have all voted who wish? Kindly... record Mr. Dave Jones as 'aye'. Take the record. On this question there's 112 'aye', 25 'no', and 18 recorded as present. These Bills having received the Constitutional Majority are hereby declared passed. What purpose does the Gentleman from Kane, Mr. Waddell, seek recognition?"

Waddell: "I wanted to explain my vote so that you fellows on the other side there also know that you can be helping Governor Ogilvie in his lawfirm."

Speaker Lechowicz: "All those 'no' want to change the Bill. The Bill hereby declared passed, as I stated before. The Bill 764."

Clerk Leone: "House Bill 764, a Bill for an Act to Amend the Civil Administration Code of Illinois. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Macoupin, Mr. John Dunn."

Dunn: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 764 is corrective legislation. What it provides is that there shall be free camping for senior citizens in Illinois State parks Monday through Thursday. Senior citizens are defined as those over sixty-five years of age, those age sixty-two to sixty-five can camp Monday through Thursday in state parks at half the regular fee and those who are blind and disabled are admitted free at any time. The change in this legislation is to remove the provision that formerly enabled senior citizens to camp free on the week ends. There's been overcrowding at the state parks and the purpose of this Bill is to provide some free camping for the senior citizens and to leave the weekend free for those that have no other time to get to the parks. Request a favorable Roll Call."



Speaker Lechowicz: "Just want to let you know that the Cubs are battling in the fifth inning. The score is 21 to 16. Unfortunately it's not in our favor. But they're coming up from behind... Let's get one of those big T.V. screens in here. Catch a few of those innings... Ok. Is there any discussion on House Bill 764. The Gentleman from Cook, Mr. Terzich."

Terzich: "Yes, Mr. Speaker. I'd like to ask the Sponsor a question. Is this only applicable to Illinois residents?"

Speaker Lechowicz: "Mr. Dunn."

Dunn: "Yes, the answer to the question is that the Bill in its present form it makes the provision<sup>s</sup> that are for reduced fare.. or fees that Illinois Stateparks available only to Illinois residents."

Unknown: "Good Bill."

Speaker Lechowicz: "The question is, 'Shall House Bill 764 pass?' All in favor vote 'aye'; all opposed vote 'no'. Have all voted who wish? Have all voted who wish will take the record. On this question there's 141 'no', 3 recorded as present. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 785."

Clerk Leone: "House Bill 785, a Bill for an Act to Amend Sections of an Act requiring compensation for causing death by wrongful Acts. Third Reading of the Bill."

Speaker Lechowicz: "The Lady from LaSalle, Mrs. Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. I would ask leave now to consider 785, and 786 together since they are... deal with the same general concept."

Speaker Lechowicz: "The Lady asks leave that the House considers 785 and 786 in a package. Any objection? Hearing none, the Clerk will read 786."

Clerk Leone: "House Bill 786, a Bill for an Act to Amend Sections of an Act requiring compensation for causing death from wrongful Acts. Third Reading of the Bill."



Speaker Lechowicz: "The Lady from LaSalle, Mrs. Breslin:"

Breslin: "Ladies and Gentlemen, both of these Bills deal with the change in the Wrongful Death Statute. The first change 785 would allow recovery of punitive damages in wrongful death cases. This award would be permissive, not mandatory. To understand what kind of change this is you should know that punitive damages are awarded by a Judge or a jury for two reasons. First of all, to punish the defendant and secondly to deter others from the same kind of conduct. The person the defendant involved in this case would only be reprimanded in this instance if his conduct was willful and wanton. To give you an example of some of the willful and wanton cases that you would come across, remember the Pinto cases against Ford Motor Company where they were charged with improperly placing a gas tank in the.. I believe the 1977 cars. They were found liable for explosions, eruptions of those gas tanks upon a showing that they had done an analysis by Ford engineers which contended that the benefit of saved lives was outweighed by an \$11 cost for a change in the placement of those gas tanks. Remember also the Draino case where the container of Draino exploded causing blindness to the defendant, the plaintiff, rather. There was a showing in that instance that the manufacturer knew the caustic properties of the product, that they protected their workers, that they failed to warn the public and that they knew of several similar occurrences. These kinds of cases go on and on. The instance where an osteopath used a drug that is labeled 'Not for human use'... A situation where a doctor performs operations where there's a showing that had he compared x-rays from the past two years, it would have shown that the operations would be unnecessary. Punitive damages are allowed in all of those instances, but what is unusual is that had the plaintiffs died of their injuries in all of these cases, they would not be allowed to recover punitive damages. We had a case in DuPage County, 12 year-



old boy got off of a bus at the wrong stop. He tried to re-enter at the rear door, which he had just gotten off of and they... as it happened he was caught under the bus and was killed. The Supreme Court in 1975 would not allow punitive damages in that instance, regardless of the fact that there was a showing that the bus lacked an outside rear-view mirror, that the bus rear door safty device was inoperable due to corrosion of contact points in the bell housing, that the driver was not required to check the safety device, that the driver had in fact turned off the signal and that the driver was not calling out the stops. As a consequence I think it's inappropriate to have the ... this incongruity in our Wrongful Death Statutes. Second Bill deals with the loss of society. It allows a recovery of losses to society in wrongful death actions. I ask a favorable Roll Call."

Speaker Lechowicz: "Is there any discussion? The Gentleman from Champaign, Mr. Johnson."

Johnson: "Thank you, Mr. Speaker and Members of the House. A lot of us... I think everybody should really pay attention to these Bills because they're really significant."

Speaker Lechowicz: Please proceed."

Johnson: "Seems like every once in while one of us gets up and says that the Bill we're considering before us is one of the worst Bills they've ever seen. Well this is one of those cases where I have to say.. stand up and say that this is probably the most logical, reasonable, best Bill that we've ever considered in this term of the Legislature. Because there is no basis for opposing this Bill if there is any opposition other than pure greed. To put in real simple terms what this Bill does, I want to give you a hypothetical. Let's assume that someone who'd had too much to drink and decided they're going to drive down Second Street here in Springfield right at noon when all the children were making their tours from various places around the State.



Our current law would do this, if they're sufficiently reckless that they went down the street and hit a little kid or his teacher, or someone else but they weren't reckless enough to do anything except injure them, then we would be allowed to recover for loss of consortium and then we would be able to have punitive damages recovered to deter that kind of conduct in the future. But if they were so reckless and so drunk and so bad a driver that they killed them, or they went around the block because they realized the law was in their favor and ran over them to make sure they killed them, then our law rewards that kind of conduct because it says you can't recover punitive damages and it says you can't recover for loss of consortium. If there's anything that's illogical and based in.. totally without basis in fact.... it's that sort of law. If we continue on without the passage of Representative Breslin's Bill what we're doing is encouraging people to kill people. We're encouraging people to be as reckless as possible because our laws encourage you to be reckless and there's just no basis for that kind of law. This is something that's been adopted in over 50% of the states. I think approximately 75 % of the states... the only witnesses that came before our Committee to oppose it really oppose it because in essence they just didn't want to pay any more money to.. in these sort of damage cases.. Well it doesn't make sense. And I certainly urge everyone to join with Representative Breslin in getting a unanimous vote to what I think is the most logical and reasonable Bill in this term of the Legislature."

Speaker Lechowicz: "Would the Gentleman... The Lady from LaSalle, Mrs. Breselin, to close." Question is, 'Shall House Bill 785 and 786 pass?' All in favor vote 'aye'. All opposed vote 'no'. The Gentleman from Whiteside, Mr. Schuneman, want to explain your vote? Your light wasn't on."

Schuneman: "Oh, I wanted to ask a question, Mr. Speaker, but it's



too late for that."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 131 'aye', 13 'nay', 4 recorded as present. These Bills having received the Constitutional Majority, that's House Bills 785 and 786, I hereby declared passed. House Bill 775."

Clerk Leone: "House Bill 775, a Bill for an Act to Amend Sections of the School Code..."

Speaker Lechowicz: "Welcome back." The Gentleman from Adams, Mr. McClain."

McClain: "Thank you very much, Mr. Speaker. This Bill is actually Cosponsored by Mr. White and myself. The Bill is to provide for a hearing upon written request by a teacher receiving notice of the dismissal for ... why he was dismissed. The teacher has to give his written notice, written request to the School Board ten days after he has received his written notice and then he has a right to a hearing in front of the Board on why he was dismissed. He has the right to offer testimony. He or she has a right to offer testimony and the right to cross examine the witnesses. I'd like to point out to you that the Bill provides that there's no hearing officer so therefore no cost to the School Board except for the School Board Members time and there's the school Board decision is final. There's no appeal to a court of law. SO frankly it's a very simple Bill which just informs the dismissed teacher as to why he or she is dismissed. I should point out that what's happening. A lot of .. lot of teachers throughout the State of Illinois especially like let's say in the city of Chicago, I understand they're called FTB's, where people are employed year after year after year and never offered tenure status or never offer nontenure status, what they're doing is just sort of ripping off those individuals so this would provide for that individual to have a right to some sort of hearing as to why he or she is being dismissed. It's a



Answer pretty simple Bill. It's a due process and I'd ask for an 'aye' vote."

Speaker Lechowicz: "The Gentleman from Cook, Mr. McAuliffe."

McAuliffe: "Well, Mr. Speaker, just because the latest football score from Wrigley Field is 21 to 16 in the sixth inning today. "

Speaker Lechowicz: "I made that announcement a little earlier but we're coming up fast."

McAuliffe: "21 to 16."

Speaker Lechowicz: "Unfortunately it's Pittsburg. No, the Cubs are losing. The Gentleman from Will, Mr. Davis, on House Bill 775."

Davis: "A question of the Speaker... a question of the Sponsor, Mr. Speaker. Representative McClain, I understood your last analogy... I'd better... put my teeth back in... with the FTB teachers, but are you suggesting in this Bill that every teacher down-state or state-wide that has not been re-employed for one reason or another by their local Board is entitled to a hearing on that refusal to re-employee? We're not talking about dismissal now, just a failure to re-hire... is that a portion of this Bill?"

Speaker Lechowicz: "Mr. McClain please."

McClain: "Jack, it's for nontenure teachers only. It's for them if they're not employed, not re-employed or they're dismissed. It gives them the right to ask for.. upon a written request on why they have not been re-employed."

Davis: "Alright. I understand that. Well, Mr. Speaker, to speak to the Bill briefly.."

Speaker Lechowicz: "Please be quick."

Davis: "I have no quarrel with what Representative McClain tries to do with the first Section of the Bill but adding in this seems to go just a bit far and I suppose Mike, unfortunately I have to oppose it."

Speaker Lechowicz: "The Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentle-



men of the House. I rise in opposition to House Bill 775. Representative Davis put his finger on the basic issue. Tenure teachers already have the right for a hearing and in the Bill that I supported of Representative Reilly's not long ago, 1233, we took four months off of what could be a nontenure period now. As you all know, we're involved in a situation in the schools of our state and in the schools of the Nation where we are facing declining enrollment and this necessitates a reduction in force. We have a Bill coming up very shortly, 1012, which will deal with the question of seniority as they only criteria for a dismissal of tenure teacher. Reduction in force has to hit nontenured teachers as the law stands now before it hits tenure teachers. Reduction in force and the necessity to lay people off is a difficult thing to do in any school district as it is right now. This Bill will make it more difficult for administrators who are employed by Boards to carry out their policy. If you place the Board in a position where they're going to have to deal with every individual who is layed off by the school due to reduction in force or any other reason. In effect, what this Bill does unfortunately is mandate that the Board must hold a hearing for a nontenure teacher if they so request. We've heard a great deal from our local people about local control. We've heard a great deal about local mandate or mandate placed on local... communities by the State. Think for all the reasons that I have mentioned that this Bill is not timely and it is not going to be in the best interests of education, it's not going to be in the best interests of the boys and girls of this State and not in the best interest of those school districts which we all are here to represent. For that reason, I stand in opposition to House Bill 775."

Speaker Lechowicz: "Any further discussion? The Gentleman from Cook, Mr. Katz. Oh, he's gone. No? The Gentleman from Lake, Mr. Deuster."



Deuster: "Mr. Speaker, and Ladies and Gentlemen of the House, the Sponsor, Representative McClain, probably inadvertently neglected to mention another part of this Bill which is the principle reason that I feel that it is not in the best interest of teachers. And that is this Bill mandates that in all cases a probationary teacher who is not being phased into tenure must be given a written notice, ... or... yes a notice specifying the specific reason that the teacher is not being re-employed. This means that it won't be possible for a teacher who has some problems to be gracefully dismissed with simply a notice saying that, 'You're not being re-employed.' But this forces the school Board, forces the administration to lay out in the notice the specific reasons why this teacher is not being re-employed. It might be that she's always arrived late or he's arrived late or he's been cruel to the children or something else and I think that it would be far better if you provided Representative McClain, that if a teacher wanted to know the reason, the teacher could ask for those reasons. But to mandate in all cases that whether the teacher wants that on her or his record or not, those specific reasons must be laid out... I don't think is in the best interests of the teachers because from now on..."

Speaker Lechowicz: "Would the Gentleman kindly bring his remarks to an end?"

Deuster: "I will. From now on everyone will know that if a teacher was employed somewhere else and not tenured, that you can get hold of that notice and find the specific reason and I don't think all teachers in Illinois want that and I would urge a 'no' vote."

Speaker Lechowicz: "The Gentleman from Adams, Mr. McClain, to close."

McClain: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, actually Mr. Hoffman and Mr. Deuster closed for me. Two main reasons that they were in opposi-



tion to the Bill are the reasons why I think you ought to vote for it. It is ... provides for local control... provides that a nontenure teacher first or second year teacher that gets dismissed, that local school Board is the final authority on deciding on why that person should be dismissed. Mr. Deuster said that the school teacher has to be told the exact truth on why he or she was dismissed... Well, I think that's right. The school teacher ought to be told the truth. That's what makes the administrators more accountable. Now they hide under an umbrella of all kinds of different authority rather than saying the actual truth. Likewise, you won't be able to have a blanket dismissal of 60 or 70 or 80 teachers just because of budgetary reasons. The administrators are going to have to be more accountable. It'll be more local control and frankly as time goes on as we see the vote every year in collective bargaining for those people who are against collective bargaining... sooner or later this is going to come.. it's either going to come by us giving nontenure teachers a fair hearing at the local level upon a written notice by themselves to the school Boards, or we're going to be faced with the same kind situation that we have been in the past where we provide total due process and a right of court appeal. This Bill does not require court appeal on the final authority decision and I think it's a fair Bill. I think those first and second year teachers have a right and those FTB's have a right to know why they're being dismissed, if they're not re-employed and I ask for an 'aye' vote."

Speaker Lechowicz: Question is, 'Shall House Bill 775 pass?'

All infavor vote 'aye'; all opposed vote 'no'. Let's go.

Ralph. Ralph. The Gentleman from DuPage, Mr. Schneider, to explain his vote."

Schneider: "Now that we're getting close, Mr. Speaker..."

Speaker Lechowicz: "We're getting close the other way..."



Schneider: "Leave to withdraw my request to speak in defense."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 38 'aye', 97 'no', 14 recorded as present. This Bill having failed to receive the Constitutional Majority is hereby declared lost. Kindly record Mr. Schneider as 'aye'. House Bill 793."

Clerk Leone: "House Bill 793, a Bill for an Act to Amend Sections of the State Printing Contracts Act. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Lake, Mr. Matijeovich."

Matijeovich: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 793 is an expansion of the present law passed in the 77th General Assembly with Gene Schlickman as the Chief Sponsor, that reports and booklets printed by the State, have printed there on the language printed by the authority of the State of Illinois the number of copies. We found in the appropriation process and the study was made of the.. whether the laws have been complied with and we found that there's virtually non... total noncompliance and what the Bill does, the major solitary provision of it would require when the State contracts for printing that such contracts have included therein the stipulation that this language must be printed on such reports. We worked out an Amendment with the Department of Administrative Services which now totally supports the Bill. It didn't have a negative vote in Committee and I would appreciate your support of House Bill 793."

Speaker Lechowicz: "Is there any discussion? The question is, 'Shall House Bill 793 pass?' All in favor vote 'aye'; all opposed vote 'no'. Marco. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 156 'aye', 2 'nay', 1 recorded as present. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 800. The



Gentleman from Cook, Mr. Schlickman, what purpose do you seek recognition?"

Schlickman: "Just to put everybody in a good frame... the Cubs are now losing by only 21 to 19. Kingman has hit three home runs and Buckner... a grand slammer. Sixth inning."

Speaker Lechowicz: "Sixth inning? Thank you very much, Sir. The question... kindly read the Bill. Excuse me."

Clerk Leone: "House Bill 800, a Bill for an Act in relation to the settlement of differences between public employers and public employees. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Mr. Speaker, it might please the House, or it might sadden the House, but Representative Hanahan has a bad case of laryngitis."

Speaker Lechowicz: "Everyone's hoping for his quick recovery."

Giorgi: "And he wants to rush off to the doctor, but before he goes, he'd like to have leave of the House to go to a motion that he filed on House Bill 800."

Speaker Lechowicz: "Leave granted. Clerk read the motion."

Clerk Leone: "I move to suspend Rule 35-G until May 23rd, of 1980, as to House Bill 800 for the purpose of permitting consideration on Third Reading during the Spring 1980 Session and to place that Bill on the Spring 1980 House Calendar."

Speaker Lechowicz: "Is there any objection?"

Unknown: "We need a Roll Call."

Speaker Lechowicz: "The question is, 'Shall the House...'"

Unknown: "89 votes."

Speaker Lechowicz: "adopt the motion?' All in favor vote 'aye'. All opposed vote 'nay'. This will require 89 votes. The Gentleman from Lake, Mr. Matijevich. Mr. Matijevich please."

Matijevich: "Mr. Speaker, I insist to hear Tom Hanahan's new voice. Turn on his mic, I want to hear his new voice or nonvoice..."

Speaker Lechowicz: "Let's get 89 votes first. The Gentleman from McHenry, Mr. Hanahan."



Hanahan: "I vote 'aye'."

Speaker Lechowicz: "Dawson votes 'aye'. Have all voted who wish? Have all voted who wish? This will place the Bill on the Spring Calendar. The Clerk will take the record. On this question there's 104 'aye', 53 'nay', 11 recorded as present. The Gentleman's motion prevails. House Bill 832."

Clerk Leone: "House Bill 832, a Bill for an Act to Amend Sections of the State Records Act. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Schlickman. OH, I'm sorry, Mr. Jaffe."

Jaffe: "Well Mr. Speaker, Members of the House, House Bill 832 is a Secretary of State Bill and basically the Secretary of State seeks the passage of legislation which would Amend the State Records Act to permit Acts as to restricted records after 75 years from the date the records were made with the consent of the agency which deposited the record because many of these restricted records have significant historical value and should be accessible to academic and historical researchers. The person wishing to obtain such restrictive records must sign a notarized affidavit in which he agrees not to misuse or make public these restricted records to reveal the name of any individual named therein. By Amendment offered and with agreement of the Department of Mental Health, we exempted the Department of Mental Health and Developmental Disability of Confidentiality Act. I know of no one in opposition to the Bill and I would solicit an 'aye' vote."

Speaker Lechowicz: "Is there any discussion? The question is, 'Shall House Bill 832 pass?' All in favor vote 'aye'; all opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question there's 144 'aye', 8 'nay', 7 recorded as present. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 851."



Clerk Leone: "House Bill 851, a Bill for an Act to Amend the Disabled Homemakers Assistants Act... Displace Homemakers' Assistants Act. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Schlickman."

Schlickman: "Mr. Speaker, Members of the House, House Bill 851 is an Amendment to the Displace Homemaker's Assistance Act approved in 1977. Basically it's a revisor's Bill. It deletes the word 'establish' and inserts the word 'designate' consistent with other language in the Act and secondly, it eliminates or deletes out dated language. I favor... I request your favorable consideration."

Speaker Lechowicz: "Is there any discussion? The Gentleman from Lake, Mr. Deuster."

Deuster: "Do I understand this Bill makes no substantive change in the law?"

Schlickman: "If there is a substantive change on account of substituting the word 'designate' for 'establish' it would be to relieve the Director of Labor from the burden of establishing the Displaced Homemaker's Centers and give him authority to recognize existing centers and thereby enable them to qualify for state assistance if any money is appropriated."

Deuster: "Are you saying that this then means that we will not have the government establishing these Displaced Homemaker Centers necessarily but that private enterprise or individual organizations could do it. Is that the substance?"

Schlickman: "Well to give you an illustration. There is located Harper Community College in Palatine Township a Displaced Homemakers' Center. However, it was not established by the state and therefore does not qualify for state assistance. Under this Bill, it need not be established and it hasn't been established by the state, but could be designated by the state to qualify for state funds."

Deuster: "Thank you."

Speaker Flinn: "The Gentleman from Rock Island, Representative Polk."



Polk: "Would the Sponsor yield to a question or two?"

Speaker Flinn: "Indicates he will."

Polk: "Do you... did you just indicate that you have one in your Legislative District?"

Schlickman: "No, I don't have it in my Legislative District. That's in the Third District. I represent the Fourth District."

Polk: "We have one in Carbondale and one in Chicago. Is that correct?"

Schlickman: "There are in existence two established centers... one in Chicago, one in Carbondale, that's correct. There are other Displace Homemaker Centers in the state that have not been established by state government, such as the one at Harper. Presently these facilities are being funded by CETA. However, CETA money is exhausted and these funds... these organizations are looking qualification under the state program if money has been appropriated and if it is available."

Polk: "Well then, Mr. Chairman, I might speak to the Bill. Is this then.. what appears to me that this is another one of those Bills that started back during a previous administration where we held the carrot out and offered something to people in our community and said if you will start this program we are going to give you something. We did give them something. We gave them a base to work off of and now it turns around that we're going to have to spend general revenue funds to maintain that program. Apparently you're saying the CETA funds are no longer available and it doesn't mean that we're going to be funding it. This seems to me one of the many programs that I think was very very unfortunate because we in some instances really ripped off the public. We told them we were really going to do something for them and indeed we did. We raised their taxes. "

Speaker Flinn: "The Lady from Cook, Representative Pullen."

Pullen: "Will the Sponsor yield for a question?"



Speaker Flinn: "Indicates he will."

Pullen: "The Digest indicates that this Bill has something to do with time limitations... Was there a deadline by which these centers were to be established and is this Bill removing or extending that deadline?"

Schlickman: "Oh, if you're referring to the second part, there were... there was a schedule within which the Director of Labor was to Act following the approval of this Bill. I refer you to Section 5, Subsection B, which says presently the Director shall within one month after the effective date of this Act begin A; search for such nonprofit agencies or organizations to carry out the programs created under this Act. What we're simply doing in that particular Subsection as we have done in two other Subsections is delete that language which is no longer in effect which is out dated. In as much as one month as of this date has well passed since the effectiveness of this Bill in Subsection C says the Director shall within four months after the effective date of this Act, we're well beyond the four months. And then in Subsection D it says the Director shall within six months after the effective date of this Act, we're well beyond the six months and it just seemed to me in consultation with the Reference Bureau when the other change was made, the ones deleting the word establishing and inserting the word designate, that we get rid of that out dated language. That is of no substance or effect."

Pullen: "Mr. Speaker, may I address the Bill?"

Clerk Leone: "Representative Flinn in the chair."

Speaker Flinn: "Proceed."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, it appears that we have an opportunity to nip in the bud a program that we should never have created. The original law said that the Director had a month to establish or designate the centers and now that month and four month period that the Sponsor referred to has passed and we can



stop it right now. I suggest we do so by defeating this Bill. Thank you."

Speaker Flinn: "The Gentleman from Champaign, Representative Johnson."

Johnson: "Several questions of the Sponsor, Mr. Speaker, if he'll yield."

Speaker Flinn: "Indicates he'll yield."

Johnson: "Representative Schlickman, you say that the deletion of the time requirements or the time limitations are of no significance. I realize we're beyond that place but having time limits in an Act of this sort must have had some meaning or they wouldn't have put them in to begin with. Wouldn't you say that's right?"

Schlickman: "I would say that the commencement periods that are set forth in Subsection B and C, excuse me, Subsection B, C, and D, were simply a directive to the Director to Act within a certain period of time. Now that that period of time has elapsed, it seemed to me as well as to the Reference Bureau that that language be deleted in as much as it was out dated and no longer of any force or effect."

Johnson: "Since the Reference Bureau is not voting on the floor of the House, I'm primarily concerned with what your thoughts are. Wouldn't you say that even though we're beyond that time now, if we're going to Amend it that it wouldn't be unreasonable to take this point hence, if you think there's been some tardiness in getting the program going and hinge this in with some sufficient limits or more specific limits from this point forward, rather than leave an open ended carte blanche matter like you do by deleting the time requirement?"

Schlickman: "The language of this Bill with that particular language stricken simply imposes upon the Director of the Department of Labor to engage in a continuing program consistent with the Displaced Homemakers' Assistance Act approved September 8, 1977."



Johnson: "We have reference in our analysis in this matter the effect that if this Bill is passed that the State will have two agencies and two programs using the same name. Can you respond to that?"

Schlickman: "There is only one law in the State of Illinois with respect to a Displaced Homemaker's Program, it's the Displaced Homemakers' Assistance Act and within that Act the Director of the Department of Labor is authorized to implement the programs. Statutorily we have not directed or authorized any other agency of state government with respect to the Displaced Homemaker's Assistance Program."

Johnson: "One last question. Is there any Fiscal impact to this Bill?"

Schlickman: "There is no Fiscal impact with respect to HB 851 as it is before you today."

Johnson: "What about HB 978, which is a companion appropriation Bill which talks about \$300,000?"

Schlickman: "That Bill was passed yesterday by the House by an overwhelming Majority."

Johnson: "Well there is a Fiscal impact then. Am I right?"

Schlickman: "The Bill standing alone has no Fiscal impact. The impact lies with the action of the General Assembly in passing a Bill appropriating money to implement this program. And I should point out to you that two years ago when the Displaced Homemakers' Assistance Act was passed, it did not have an appropriation within it. Constitutionally it can't. There was an accompanying appropriation Bill. The Governor approved the substantive Bill. He vetoed the appropriations Bill. Consequently the Act standing by itself had no Fiscal impact. HB 851 standing by itself has no Fiscal impact. However, as I mentioned to you, yesterday the House by an overwhelming Majority passed a Bill appropriating the sum of \$300,000 to implement the Displaced Homemakers' Assistance Act. The limitation, if there is a Fiscal impact, lies with that Bill that we passed



yesterday in the amount of \$300,000."

Speaker Flinn: "The Gentleman from Bond, Representative Slape, is recognized."

Slape: "Thank you, Mr. Speaker. I move the previous question."

Speaker Flinn: "The previous question has been moved. The question is, 'Shall the main question be put?' All those in favor say 'aye'. Those opposed. The 'aye' have it. Representative Schlickman; to close."

Schlickman: "Mr. Speaker and Members of the House, two years ago in the wisdom of this House, the Senate and the Governor, we passed and approved the Displaced Homemakers' Assistance Act to help persons who have been left without support on account of the death or divorce of a spouse and we established a program to assist those persons in returning to the job market. Now we have a program on the book. What this Bill is simply to relieve of the Director of the Department of Labor the responsibility of establishing displaced homemakers' assistance programs or facilities and in lieu thereof, enables him within his discretion according to the existing law to designate those already existing facilities who are servicing displaced homemakers. And yesterday as I mentioned a Bill was passed appropriating the sum of \$300,000 to fund these programs within the discretion of the Director of Labor and according to the criteria established within the existing Act. I solicit your favorable consideration."

Speaker Flinn: "The question is, 'Shall House Bill 851 pass?' All those in favor vote 'aye' and those opposed vote 'no'. Representative Vinson is recognized to explain his vote."

Vinson: "Mr. Speaker, this maybe a well intentioned program. And there are certainly people that can benefit from it. However, I believe that the fact that we have to take into consideration is as we authorize more of these centers and as we authorize the use of general revenue funds for the purpose, what we're doing is taking general revenue funds



away from other good programs, programs like education and mental health. I submit to you that what we need to do is keep this program the way it is now, funded out of CETA funds if it is to be funded, and I would urge the defeat of this Bill. "

Speaker Flinn: "Representative Chapman to explain her vote."

Chapman: "I would ask for your support for this Bill. As Mr. Schlickman pointed out the action which we took that has impact is the action of yesterday when we approved Mrs. Macdonald's and Mrs. Willer's Bill asking for an appropriation for the Displaced Homemakers' Centers. This Act, whether it remains in the present state, or is Amended as asked by Mr. Schlickman, does not either spend money or save money. It merely indicates how the Director can spend the money. The way the law is presently drafted, the money he gets he will spend in establishing new centers. And this may be very advisable. If you accept Mr. Schlickman's proposal he has the Director of the Department of Labor has an additional option, in addition to voting or in addition to deciding to spend the money on new centers, he can spend the money in aiding centers that are already established. Most women at some point in their lives are going to be displaced homemakers. If you're a married man, your wife is going to be a displaced homemaker at some point in her life. If you are a woman, you may find that you're a displaced homemaker and need some help.."

Speaker Flinn: "Would you bring your remarks to a close?"

Chapman: "Need some help in developing the necessary skills in order to earn a living to provide for your family. This is a little Bill if there ever is a merely Bill, this is it and you can feel very comfortable in putting your 'yes' button on."

Speaker Flinn: "Representative Macdonald, to explain her vote."

Macdonald: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. Indeed our \$300,000 appropriation did pass



this House with an overwhelming vote of confidence. We went into the reasons why it is so necessary to help the displaced homemakers in today's society. This Bill really is a companion Bill to the appropriation Bill and I would like to clarify that the funds do not come out of general funds, but they come out of the Manpower and Human Development from the Governor's Department of Manpower and Human Development. Because we changed this we felt that it would be more possible for him to get money from other sources other than just simply the general fund. The CETA funds are limited and for that reason we put it in the shape that it was to pass over into the Senate in the amount of \$300,000. This is a very important Bill, one of the best Bills you could vote for for not only women who are widows, but younger divorcees and women who have had a serious crisis in their family and find themselves suddenly they're head of the household and unable to support their families. This will get them on the track. Keep them off of Public Aid..."

Speaker Flinn: "Would you bring your remarks to a close? Turn Mrs. Macdonald back on."

Macdonald: "And I urge you please to join Representative Schlickman and pass this Bill out of the House over to the Senate."

Speaker Flinn: "Representative Bowman to explain his vote."

Bowman: "Thank you Mr. Speaker..."

Speaker Flinn: "Timer's on incidently."

Bowman: "Alright. Ladies and Gentlemen of the House, this really is a merely Bill. What I'm fearful of is that the people are holding off because this amounts to a referendum on the whole program. Well if that's what you're wondering about, let me tell you that these various centers around the State in the last year have assisted over 600 women to go... who have no means of economic support other than their own labor to go into the labor market and compete successfully



for jobs. That's 600 women who otherwise would be on Welfare. If you want to see the Welfare Rolls expand then vote against this Bill, but if you want to keep people off Welfare, and help them find the jobs that are necessary, to do that and return tax dollars to the State Treasury then I think you want to vote for this good Bill. Thank you."

Speaker Flinn: "Representative Griesheimer, to explain his vote. Griesheimer."

Griesheimer: "Thank you Mr. Speaker. I have to say that I was genuinely shocked to hear Representative Chapman support of this Bill. This Bill is a blatant violation of the Equal Rights Amendment of the Illinois State Constitution. It's a provision being set up exclusively for women. There are other householders in the organization with regard to the rights of people that survive and I feel that anyone that raises to the point merely to classify one special group by sex has violated the spirit of the Illinois Constitution."

Speaker Flinn: "Representative... Representative Chapman for what purpose do you rise?"

Chapman: "My name was mentioned by the previous Speaker. The.. a homemaker does not need to be a woman. Generally speaking, in our society a homemaker is a woman and that is why in explaining this Bill, I suggested that Mr. Matijevich's wife might need the assistance and I'm so happy that Mr. Matijevich is voting 'yes'. But it may well be since a homemaker is not necessarily a woman. Homemakers are more and more likely to be men these days, that we are going to find some widowers in need of this same help and I believe if the Gentleman from Lake will look at the Bill he will find there is no sexist language in the Bill...."

Speaker Flinn: "Representative Mugalian, to explain his vote."

Mugalian: "Thank you Mr. Speaker. I think there have been some red herrings on across the road of this Bill. I'm not sure it's just a merely Bill, but it's a Bill I think it



ought to be on the Consent Calendar. We've been raising as I said some red herrings but this Bill does not commit us to spend any general revenue funds for this program until or unless the Legislature wants to. Now I heard a good friend of mine on the other side of the aisle say that it was more important to save GRF money for mental health and similar programs. Now I think it's very difficult to prioritize these kinds of demands on the public treasury if we stop to think about what the displaced homemaker faces. We are talking about some very small amounts of money to restore these persons to a productive life, to give them the kind of training and refresher courses that would allow..."

Speaker Flinn: "Representative Anderson, to explain his vote."

Anderson: "Yes, Mr. Speaker. I rise in support of this Bill.

Let me tell you Representative Macdonald was in our Appropriations Committee and we had had thorough testimony on this and we heard people and the reasons why this is needed. There are 30,000 plus divorces in this state every year. Now last year we helped 600 people with the funds that we had. There's a lot more deaths than that. A couple of years ago my brother died and left a widow and that prompted me to write a book... brochure to help some of the widows in this state to get back into the mainstream. This thing is needed and I urge you to vote 'aye'."

Speaker Flinn: "Representative Bullock to explain his vote."

Bullock: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. You know there's a pretty effective lobbyist in this chamber every now and then, the senior Representative from the 22nd District comes this way, and asks Representative Taylor and I to support the cause so based on that and in spite of the Sponsor, I'm going to ask my colleagues on this side of the aisle to vote 'yes'."

Speaker Flinn: "Representative Lechowicz to explain his vote."



Lechowicz: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I think that this Bill has really been misrepresented by a lot of people on this Floor. There's really nothing the matter with this Bill. In fact, it just revises that the Director of the Department of Labor to designate rather than establish multipurpose service center for displaced persons. So this Bill should pass. It's a good Bill and I hope that the Membership would reconsider and vote 'aye'."

Speaker Flinn: "Representative Sumner to explain her vote."

Sumner: "Thank you Mr. Speaker. I'm voting 'no' because the previous Lady who spoke I believe was discriminating when she said, 'If you are a woman you may become displaced. If you are a man, your wife may become displaced.'"

Speaker Flinn: "Representative Ewell, did you want to explain your vote? Have all voted who wish? Representative Schraeder."

Schraeder: "Well, Mr. Speaker, I'm going to vote with Representative Chapman. Apparently this is a time when the men get to cook the rice and wash the shirts and it's got to be an 'aye' vote."

Speaker Flinn: "Representative Terzich to explain his vote."

Terzich: "Yes, Mr. Speaker, in spite of the Sponsor at the request of Representative Lechowicz, we 're going to vote 'aye'."

Speaker Flinn: "Mr. Johnson, you have your light on. I think you spoke in debate though, didn't you? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 115 'aye', 23 'nay', 14 voting present. And the Bill having received the Constitutional Majority is hereby declared passed. Representative Schlickman, for what purpose do you arise?"

Schlickman: "Point of privilege, Mr. Speaker."

Speaker Flinn: "State your point."

Schlickman: "I appreciate the vote of confidence. Thank you."

Speaker Flinn: "Live it up while you've got it. House Bill 869. Representative Richmond for what purpose do you arise?"



Richmond: "A point of personal privilege." [Unintelligible]

Speaker Flinn: "State your point."

Richmond; "In the interest of equal time and fair play, I'd like

like to bring an update on the Cardinal game. The inning is the 11th. It's tied and it's been called. It's tied 2 to 2 and it's called off because the Expos had to catch a plane and get out of town."

Clerk O'Brien: "House Bill 869, a Bill for an Act to Amend Sections of an Act to limit the liability of landowners to make their land and water areas available to the public for recreational purposes. Third Reading of the Bill."

Speaker Flinn: "Representative Brummer."

Brummer: "Yes, this is a very simple Bill. Current law provides that when private landowners make their land available for public use for recreational purposes there is a limit on the liability that is imposed on the landowners as a result of them making that land available to the public for recreational purposes. What this Bill does is simply Amend the definition of recreational purposes to include within that definition bicycling and horseback riding. I would ask for a favorable vote."

Speaker Flinn: "Any further discussion? If not the question is, 'Shall House Bill 869 pass?' All those in favor vote 'aye'. Those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 156 voting 'aye' and none voting 'no' and none voting present. The Bill having received the Constitutional Majority is hereby declared passed. House Bill 872."

Clerk O'Brien: "House Bill 872, a Bill for an Act to Amend the IMRS Chicago Metropolitan Retirement County Employees Retirement Labors Retirement and Park District Retirement Articles of the Pension Code. Third Reading of the Bill."

Speaker Flinn: "Representative Catania."

Catania: "Thank you Mr. Speaker and Members of the House. House



Bill 872 deletes the pregnancy and child birth exemption from the list of conditions for which disability cannot be paid. It currently lists pregnancy and child birth along with chronic alcoholism and self inflicted injuries. The reason for this legislation is that the Congress passed last fall a law which as of April 29th, 1979 required that pregnancy and child birth be treated just like any other disability so the Pension Funds in Illinois are supporting this Bill because they would prefer to have a state law under which to operate rather than a federal law. The Bill is supported by a very long list of organizations, including among others the Illinois Pro-Life Coalition, the Pension Laws Commission, the Illinois Municipal Retirement Fund, and so on. I ask for your support."

Speaker Flinn: "Any further discussion? If not, the question is, 'Shall House Bill 872 pass?' All those in favor....  
Ops, I'm sorry. Have some people that have got some questions. Representative J.J. Wolf."

Wolf: "Would the Sponsor yield for a question?"

Speaker Flinn: "She indicates she will."

Wolf: "As I recall some time back the federal government required that women be given pregnancy benefits. Is there in this Bill, and I don't have a copy, but is there a particular time limit involved? If so, does it lengthen the time or diminish the time?"

Catania: "It says that pregnancy and child birth have to be treated just like any other disability so that they'd have to get doctor's certification and they would just have to come under the same kind of restrictions that anyone else claiming disability would come under in order to qualify."

Wolf: "Is there any guideline as to, you know, a woman is pregnant one month... or is there any...."

Catania: "It would have to depend entirely on what the doctor said, just like any other disability. You know, if someone had to take a leave because of an appendectomy, the doctor



would have to say this was the point at which the person had to leave and this is the point at which they could come back. Exactly the same kinds of requirements have to be met."

Speaker Flinn: "The Gentleman from Cook, Representative Epton."

Epton: "Thank you Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Flinn: "Indicates she will."

Catania: "Certainly."

Epton: "Madame Sponsor, in view of the pains of child birth is it possible that a court might conceive pregnancy as a self inflicted injury and give you a problem in that regard?"

Catania: "Well just would really depend on the court wouldn't it, Representative Epton?"

Epton: "Thank you."

Speaker Flinn: "Any further discussion? "

Catania: "I ask for your support."

Speaker Flinn: "Oh, I see Representative Huskey's back on again now. Representative Huskey is recognized."

Huskey: "Well, would she answer a question, Mr. Speaker?"

Speaker Flinn: "She indicates she'll yield."

Huskey: "I wonder if this Bill includes fathers?"

Catania: "Anytime they get pregnant yes."

Speaker Flinn: "The question is, ..."

Catania: "Male seahorses do it."

Speaker Flinn: "The question is, 'Shall House Bill 872 pass?'

All those in favor say.. vote 'aye' and those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 134 voting 'aye', 16 voting 'no', and 6 voting present. The Bill having received the Constitutional Majority is hereby declared passed. Representative Van Dwyne, for what purpose do you arise?"

Van Dwyne: "Just for a joke, Mr. Speaker. You know that last question wasn't so... not appropo if you'll take a look at



the front page of the Sun Times. If a woman can do it without a womb, maybe a guy could too."

Speaker Flinn: "House Bill 888."

Clerk O'Brien: "House Bill 888, a Bill for an Act to Amend the Illinois Wage Payment and Collection Act. Third Reading of the Bill."

Speaker Flinn: "Representative Lechowicz."

Lechowicz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 888 is a comprehensive revision of the Wage Payment and Collection Act. The coverage of public employees and the severance pay in the two week notice provisions have been removed due to the objections by the Governor and the employer community. As Amended the Bill adds the following definitions to the Act. It defines employer, employee, wages, earned commissions, earned bonuses, time of sale and file compensation. Other provisions of the Bill include; commissions shall be paid within a 30 days of the month in which they are earned. It extend the coverage of the Act to employees who are owed more than a thousand dollars. It prohibits unilateral reductions from an employees wages. It extends the time limit for an employer to pay a judgement from 5 to 15 days. It requires earned vacations to be paid to an employee as part of final compensation. It requires the employer to pay undisputed wages on time and it provides for a penalty of a Class A misdemeanor for an employer who willfully issues a payroll check without sufficient funds to cover the check and it provides that the Director of Labor may require a bond from any employer who has been convicted of a misdemeanor under this Act. May I point out to the Membership of the General Assembly this Bill as Amended is the same Bill that was offered in the Senate in the 80th General Assembly by Senator Shapiro. Initially when this Bill is introduced there was... in fact many of you received many letters from the IMA in opposition to this



Bill. I sat down with the... with the Representative from IMA, with the Representatives from the Department of Labor and worked out the Amendments that were adopted on this Floor. The objectionable points of the... of their objections have been addressed and been removed by Amendments 4 and 5. I'd be more than happy to answer any questions on House Bill 888. If not, I ask for your support."

Speaker Flinn: "Before I recognize the next one, the latest score of the Cubs is 22 to 22 bottom of the 9th. The Gentleman from Winnebago, Representative Simms."

Simms: "Well Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to House Bill 888. First of all I would like to clear the air. This legislation does not have the support of the Illinois Manufacturers or doesn't have the support of the Illinois Retail Merchants. They are still in opposition to the passage of this legislation although a couple of Amendments have watered the Bill down to somewhat. Basically this legislation adds two definitions of earned commissions. According to this Amendment in the absence of a specific agreement to the contrary, an employer must pay a salesman entitled to a commission as soon as the sale is made rather than when shipment, delivery, billing, or payment takes place. It also requires the employer who by a collective bargaining agreement or contract provides for paid vacations to pay the employee who resigns or is terminated for all earned vacation time at his final rate of pay as part of said employees final compensation. In addition to the many complexities of this legislation also included in this, the employer is required to pay within said time limits all wages to an employee. The argument that the Sponsor used regarding checks that are issued that are insufficient funds is already covered under the Criminal Code of the State of Illinois. This legislation very frankly is very punitive towards the business community and the small businessman as well as the



large. In the time when our state is having serious financial difficulties attracting new businesses to Illinois, we are now trying to pose upon by legislation that Act of the Legislature that will cause industry and business to leave the state and make it less attractive. This legislation is not in the best interests of the economy of the State of Illinois. It's not in the best interests of the employee because very frankly, our state will become less attractive to the individuals that might come to our state to open up a new business or a new factory. And for these reasons, I would urge that the Members of the Legislature vigorously oppose the passage of House Bill 888."

Speaker Flinn: "The Gentleman from Whiteside, Mr. Schuneman."

Schuneman: "Thank you Mr. Speaker. Would the Sponsor yield for a question or two?"

Speaker Flinn: "He indicates he will."

Schuneman: "Representative, one of the objections to this Bill when it was before the Committee was the fact that the original Bill would have required written notice to any employee before there was any change in the duties that that employee was to perform or in the wage rates he was to receive, whether it was raise or a decrease in pay, and as I understood you, you indicated that that provision has been removed from the Bill, but as I read your Amendment #2, .."

Lechowicz: "Look at Amendment #4..."

Schuneman: "Did you delete the .. all the language Ted, in Amendment #4.? I don't have that in front of me. I'm sorry."

Lechowicz: "Amendment #4 removed two provisions which the IMA opposed in their original memo to every Member of this House. One, the requirement that an employer must pay two weeks of severance pay if he terminates a worker without good cause and without a two week notice. Two, the requirement that two weeks written notice be given any worker prior to any change in the rate of pay. The Amendment was moved by myself and adopted by this House. It removed both of



those provisions, two major provisions that the IMA are opposed to were removed from the Bill. Amendment 4."

Schuneman: "Well, but I think my question remains that the Bill now no longer contains any requirement that an employer give notice to an employee in writing of a change in wage rate or in working conditions? Is that correct?"

Lechowicz: "That is correct, Sir."

Schuneman: "Ok. One other thing. Does this Bill apply to all employers in the state regardless of how many employees they have?"

Lechowicz: "Yes, Sir."

Schuneman: "Mr. Speaker, could I speak to the Bill please?"

Speaker Flinn: "Proceed."

Schuneman: "The Illinois Wage and Collections Act was passed originally I'm sure to assist employees who were having difficulty in collecting wages from employers and the law at the present time provides that the Department of Labor may become involved in such disputes but only for wages up to \$1,000. I think perhaps one of the most significant things done by this Bill is the removal of that \$1,000 limit. What this Bill would promote is the use of the Department of Labor for wage disputes no matter how much in wages would be involved. It seems to me that this is going to involve the Department of Labor in many many disputes over wages in which I think they should not be involved and which should properly belong in the courts. One other drawback that I see to the Bill, it requires in the case of vacations that if an employee quits his job or is terminated, either way, that he must be paid any vested vacation pay. Now, some employers who have an employment policy of allowing vacations to their employees would give them their vested vacation pay if they give sufficient notice to the employer. This Bill removes the possibility of the employer doing that. He has to give



the employee his vacation, vested vacation, so that in effect what we're doing here is doing something that should properly be left to the negotiations between an employer and an employee. One other problem that I had with the Bill has to do with the definition of sales and the requirement that commissions are earned at the time the sale is consummated. I think of automobiles which for example maybe sold by some salesman and the car might be delivered for six weeks in which instance it seems to me that the employer in this case would be required to pay that employee as of the time of the termination. I would urge the Members of the House to oppose this Bill. I think it goes much too far, perhaps we need some changes in this law, but I think this Bill goes way beyond what is reasonable and proper considering the present business climate in the state."

Speaker Flinn: "The Gentleman from Bond, Representative Slape, is recognized. The Gentleman from Cook, Representative Matula. Matula."

Matula: "Thank you, Mr. Speaker. Will the Sponsor yield please?"

Speaker Flinn: "He indicates he will."

Matula: "Representative Lechowicz, when you're stating that the commissions to be paid... are you speaking of all commissions within 30 days?"

Lechowicz: "Basically, basically it's 30 days from the month in which they are earned, so say for example, if I earned my commission this month it's 30 days after the end of the month. So really you're talking about approximately 30 to 45 days after they are earned."

Matula: "This doesn't mean that the commission would be paid after a job is done?"

Lechowicz: "No, Sir, it does not."

Matula: "Mr. Speaker, may I address myself to the Bill?"

Speaker Flinn: "Proceed."



Matula: "Thank you Mr. Speaker. Ladies and Gentlemen of the House, being a manufacturers Rep. myself I can't see where an employer can't come across with a commission check in 30 days. Many many times if a job is complicated, if a job is big, let's take for instance there's a big dye, sometimes it'll take three or four months to complete the dye you cannot expect the employer to pay you in 30 days. You also have a time element, shipment, inspection, Milling, some time it might run into five months before you get paid. This is another burden on the manufacturers in the State of Illinois. We are all talking about helping business in the State of Illinois. This is another opportunity of knocking out some more businesses, moving them to climates where the business climates are in a better shape for the employers and doing business in the State of Illinois with Bills like this I can't see anything but to oppose it. Thank you."

Speaker Flinn : "Representative Piel."

Piel: "Thank you, Mr. Speaker. I move the previous question."

Speaker FLinn: "The Gentleman has moved the previous question.

The question is, 'Shall the main question be put?' All those in favor say 'aye'. Those opposed. The 'ayes' have it.

The Sponsor to close, Representative Lechowicz."

Lechowicz: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I believe House Bill 888 would significantly strengthen the laws which guarantee time repayment of wages and vacation pay to Illinois workers. This Bill will help to insure when payday arrives workers in this state can be sure that paychecks will be in their hands on time and in the full amount. This Bill as I pointed out earlier includes certain provisions. Now I sat down and worked very hard and I listened to the IMA and the retail clerks and I took their objections to this Bill very seriously. I tried my best to insure that what their major concerns



were taken care of in House Bill 888. I did not say that they are in total compliance with 888 as Amended. But I will say that their major objections were removed by Amendment #4. They still in fact, after I put.. I showed them the Amendment. I asked them if this would take away their objections. Two days later they came up with 8 additional points. Two days after I had a meeting in my office with the Department of Labor and then... and presence. Now I don't ... I believe that the time has arrived that the objections that were raised on this Floor and especially as far as the elimination of a thousand dollar gap, the elimination of the monetary limit under the Department's assistance which is currently in a thousand dollar gap, will extend the protection to the worker who has gone four or five weeks without receiving his paycheck and needs the money the most. I.. I believe that the Membership of the Labor Committee will attest to the fact that when Don McNeal from the Department of Labor testified in behalf of this Bill, from the Illinois Department of Labor, he pointed out quite vividly the number of employees that were in this category. The Department of Labor requested this Bill. The...and I believe that I can attest to that by the person that spoke in his behalf in the Committee. I believe that the Bill as Amended is quite palatable to the business community of this state. I, for one, have always been a strong proponent of promoting industry within this state and bring additional industry to this state. I don't believe House Bill 888 as Amended will effect industry in this State. I do know that it will help the working man of this state and for this reason I'm asking for your 'aye' vote."

Speaker Flinn: "The question is, 'Shall House Bill 888 pass?'

All those in favor vote 'aye'; those opposed vote 'no'.

Representative McPike is recognized to explain his vote."

McPike: "Well, thank you, Mr. Speaker, Ladies and Gentlemen of



this House. I was on the Labor Committee and heard that testimony on this and I rise in support of the Bill. This really doesn't give to the Department of Labor any powers that they don't already have. In fact, what we're doing is putting into law what is currently practiced by the Department. The objections raised to this were so minor as really to be meaningless. One of the objections was regarding commissions earned. All the Bill simply says is that if you don't have a contract, a written or oral agreement with your employer, that we are going to say that after a reasonable period of time, your commission is due. If the employer doesn't agree he simply can inform you in writing what the.. what his decision as to when the commissions are due and then that's when they will be due and nothing in this law would change that. We talked about vested vacation pay. You know vacation is no different in wages. It's something that you earn. You earn it as you go along. After one month of work you have earned one day of vacation. After two months of work maybe you've earned two days of vacation. What we said is that when you're layed off or when these wages are due, the vacation pay itself that you've earned is no different than the wages. Now we don't punish the employer by saying that he can escape pay in wages, or we don't punish the employee by saying the employer can escape pay in wages and now in this we're saying the same thing. The employer cannot punish the employee by refusing to pay and that's legitimately what it is, refusing to pay him for vacation earned. The final objection I tried to understand was that the Department is only involved in wages now up to a thousand dollars. It's simply not true. They're involved in all wages, regardless if it's a thousand or ten thousand or whatever is owed. They simply do not have statutory authority to continue the case, but they do try to arbitrate or mediate it and try to settle it under the current law. What we're saying is that.. because of inflation



a thousand dollars is no longer realistic. And in fact there should be no limit on it. You can have a carpenter working there for two weeks for a contractor, say 14 straight days and quite often in overtime he might have \$3,000 coming. There's no reason why that employer should be able to skip out and not pay that \$3,000."

Speaker Flinn: "Please bring your remarks to a close."

McPike: "This is not a punitive Bill. It is a further....it is a protection for the employee which is the current practice. I think it's a decent Bill. I think that it should have your support."

Speaker Flinn: "Representative Daniels to explain his vote."

Daniels: "Mr. Lady... Mr. Speaker, Ladies and Gentlemen of the House, I think we should pay particular attention to the fact that for the last 3,4,5 years we've been hearing the cry of business in saying, 'Give us some relief in the area of work comp., unemployment insurance products' liability. Now for various reasons, we have given some but not enough in the opinion of those of us that are favoring additional reform. But let's not talk about that for a second, let's talk about what we're doing to business right now, right this moment on the additional requirements set forth in this Bill. Let's talk about the strengthening feature of this Bill that the Sponsor so eloquently discussed. You realize that he's talking about criminal actions, about Class A misdemeanors and Class C misdemeanors, about penitentiary potential and about fines being executed by a court. That's the kind of strengthening talk that we're being discussed. That's the kind of punishment that we're subjecting an employer to if he dares not get along with an employee who has disagreed with his viewpoint, or if he tries to discharge a disgruntled employee because of action on this Bill. That's what we're talking about in strengthening this Bill as our Sponsor tells us. Let's not do it again to business. Let's not add another cry for relief in the



a thousand dollars for each person in the area of work comp, products liability, and unemployment insurance. Let's not add wage collections to that cry for relief. Let's not continue to ruin our business climb in the state. Defeat this Bill. It's a bad Bill."

Speaker Flinn: "Representative Ronan, to explain his vote."

Ronan: "Thank you, Mr. Speaker. The only comment I want to make is that I'd like to find out why so many people on the other side of the aisle are voting against this legislation. The primary witness who came before the Labor Committee to explain this Bill is an employee employed by the Department of Labor. His rationale is that this Bill is going to clean up that Section within the Department of Labor. It's going to make it easier for him to do his job and to represent the Labor Department and obviously the Governor. That's why I'm trying to understand why so many Republicans are voting against this Bill. It's a good Bill. We've worked with both sides, both labor and management, in order to come up with some compromises and we do have... we did have the Department of Labor in there extensively working on this Bill. I sure hope people on that side take that into consideration and change some of those red lights to green. Thank you."

Speaker Flinn: "Representative Huskey, to explain his vote."

Huskey: "Well, Mr. Speaker, Ladies and Gentlemen of the House, this is another big nail driven into the coffin of business. It's nice to be a hero of labor. I would like to be a hero of labor myself, but it's... keep being the heroes of labor with no jobs, then what are we going to do? I hope a lot of you listen to President Ford last night when he spoke of what OSHA has done to business. This is just as bad as the OSHA problem. I would say I think you better think twice on this because you've hammered business, you've hammered business and you've hammered business and you've got your way for five years on labor, on't you



think it's time you give in a little bit to business?"

Speaker Flinn: "Representative Johnson, to explain his vote."

Johnson: "Point of personal privilege in response to Representative Ronan and his contention that because the Governor and the Department of Labor favor this, we should too.

I don't know about you, Representative Roanan, but I think me and most of the other Members on this side of the aisle vote on the merits of the issue rather than...."

Speaker Flinn: "One moment please. For what purpose does the Gentleman from Sangamon, Representative Kane, arise?"

Kane: "Every time that a point is made I don't see any reason why someone else ought to come up on a point of order when all they're doing is just trying to get in on the debate. I think this person has already acted and we've got a lot of work to do..."

Speaker Flinn: "Your point is well taken. Your name was not mentioned in debate. SO , I suppose you'd better get on with it."

Johnson: "Alright, I'll explain my vote. I think me and most of the other Members on this side of the aisle look at the merits of the issue rather than in a dictatorship of any particular person. I think we can look at this issue objectively and see that it's bad for business and..."

Speaker Flinn: "Representative Johnson, did you..."

Johnson: " and I'm voting 'no'."

Speaker Flinn: ".... Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 79 voting 'aye', 81 voting 'no', and 5 voting present. And the Bill having ... steady, Lechowicz.."

Lechowicz: "Put it on Postponed COnsideration."

Speaker Flinn: "The Gentleman has leave to put it on Postponed Consideration. Postponed Consideration... House Bill 924."

Clerk O'Brien: "House Bill 924, a Bill for an Act to Amend Sections of an Act to provide for assistance to certain veterans in acquiring specially adapted housing. Third



Reading of the Bill."

Speaker Flinn: "Representative DiPrima."

DiPrima: "Yes, Mr. Speaker. The Bill is exactly as it's described in the Digest. It relates to assistance for veterans who require specially adapted housing because of severe injuries. These are mostly paraplegic cases. It changes the amount of assistance granted from 5,000 to 10,000 due to the inflationary period we're having and this Bill is approved by the Department of Veterans' Affairs and I would appreciate an affirmative vote."

Speaker Flinn: "Any further discussion? If not, the question is, 'Shall House Bill 924 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 154 voting 'aye', 1 voting 'no', and 1 voting present. The Bill having received the Constitutional Majority is hereby declared passed. House Bill 995."

Clerk O'Brien: "House Bill 995, a Bill for an Act to Amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker Flinn: "Representative Taylor."

Taylor: "Thank you, Mr. Speaker and Members of the House. House Bill 995 is the Bill that I think is very much needed. It simply brings the .. the compliance to what is down-state for teachers and also the federal government compliance. It Amends the Chicago Teachers Retirement Fund Article of the Illinois Pension Code. It allows the validation of 12 months of unpaid maternity leave for pension credit by payment thereof. As in the case of unpaid sick leave. Mr. Speaker, Members of the House, I solicit your support for House Bill 995."

Speaker Flinn: "Representative Ebbesen."

Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, would the Sponsor yield?"



Speaker Flinn: "He indicates he will."

Ebbesen: "Representative Taylor, I understand what you're trying to do and that's to bring Illinois along to conformity with the federal law regarding this pregnancy disability to require that... pick up that time, but is there provisions in there for the individual teacher to pay anything, the employee, in this Bill?"

Taylor : " No, there's not, Representative."

Ebbesen: "Well, I'd like to address myself to the Bill, Mr. Speaker."

Speaker Flinn: "Proceed."

Ebbesen: "And I don't single out this one particular Bill, but this is one in a long line of Bills, the total of which came out of pensions which will just under a normal cost to the various pension systems, some local and some state of \$41,000,000 in adding to the unfunded accrued liability somewhere in the neighborhood of a third of a billion dollars. And this is one in which that Fiscal impact, or the impact to the taxpayers, of course this involves the Teachers Pension and Retirement Fund of Chicago, but. . . so that all of you can make some kind of intelligent decision on this Bill I'd just like to point out that the normal cost factor is one and a third million dollars and the addition to the unfunded accrued liability is about five and a half million dollars. And not that I disagree with what Representative Taylor is doing here, he's merely bringing Illinois law into conformity but the point is that there is no provision for payment and to me, you know, as a Representative even though I'm in the 37th District, all of us cast votes that should be in the interest of everybody in this state. And I just think that we ought to look at the Fiscal impact of this."

Speaker Flinn: "Representative Terzich."

Terzich: "Well, yes, Mr. Speaker. This is similar to House Bill 872, which we did pass. All this simply states is to come into conformity is that pregnancy is considered



the same as any other illness. Now if the person presently is sick, they're using their sick leave which means that their pension contributions are deducted from it in the same way the employer contributions are. All this simply states is that the disability would be the same as any other disability. If they do have any sick leave, that will continue the same as any other illness. Now in addition to this, this went before the Pension Laws Commission. It was approved. I'm sure that if anyone did have a case that they were discriminated because of this provision I'm sure that if they went to the courts, then the courts would certainly reverse any action that we did not allow this Bill to pass. It's simply coming into conformity. It allows the same benefits and the privileges for those who are presently disabled who happen to be under the system and of course we did pass House Bill 882. And I urge support of this Bill."

Speaker Flinn: "Representative Duester."

Deuster: "Well, Representative Terzich seems to be describing a Bill that's not described by the synopsis, but I would like to ask the Sponsor this question; the synopsis which you, Representative Taylor, read says that this allows 12 months of credit for a person, a teacher who is on maternity leave. Now does the Bill provide for just one 12 months credit? I'm thinking of a teacher that might have more than one child. Does the Bill limit itself to just 12 months of maternity leave?"

Taylor: "Well that 's what the Bill does right at this present time. I think that this thing here, this is sick leave that has been earned by the teachers."

Deuster: "Well, it's maternity leave isn't it?"

Taylor: "Maternity leave, yes. Same as the..."

Deuster: "And you're only allowing it for one child?"

Taylor : "I didn't specify the number of children that you would have, but if it's one child I suppose that would be



it, Representative Deuster."

Deuster: "Well maybe Representative Terzich wants to respond.

I think the synopsis maybe wrong based on your remarks.

Representative Terzich."

Speaker Flinn: "Well I think that's kind of out of order. You

asked someone that's other than Sponsor questions. He

seems to .... his name in debate, I'll recognize him on

a point of personal privilege, if he wants, if he asks.

Representative Stuffle."

Stuffle : "Yes, Mr. Speaker and Members. I think there's a lot

of confusion here on both sides. The Bill says up to

12 months, that's clear. But a point in favor of the Bill

should be made. I think may have been answered near, at

least confusingly so. There was some statement made that the

teacher would not pay for the time in terms of payment

against salaries would be the case if they were still on

duty. That's not the case. The teacher does indeed pay

for the time that they would normally pay for had they

been salaried at the time and this does conform with

federal law and this is I think consistent with the other

Bill passed and it's going to be what we're going to end

up doing I think with all the systems if we're going to

conform with federal law. I don't always agree with conforming

but I think here it's an essential activity that should be

promoted with passage of the legislation."

Speaker Flinn: "Representative Slape."

Slape: "Thank you, Mr. Speaker. I move the previous question."

Speaker Flinn: "The previous question has been moved. The

question is, 'Shall the main question be put?' All those

in favor say 'aye'. Those opposed. The 'ayes' have it.

The Sponsor is recognized to close, Representative Taylor."

Taylor: "Thank you, Mr. Speaker. I think that this Bill ...it

do have some confusion as far as some Members are concerned.

But I think that it.. this can only be used once during the

period of services. This Bill was brought to me by the



Teachers' Union and I have supported it and I solicit your support for House Bill 995."

Speaker Redmond: "The question is, 'Shall this Bill pass?' Those in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Friedrich."

Friedrich: "Mr. Speaker, I guess my problem with this Bill is, and I'm not being facetious, I don't know of any pregnancy that last 12 months and I didn't know that a woman is disabled during the early part of her pregnancy and I don't understand how you get 12 months disability out of one pregnancy."

Speaker Redmond: "Have all voted who wish? The Clerk will take the record. Representative Bullock."

Bullock: "Thank you, Mr. Speaker. Mr. Speaker, I want to explain my vote on this particular Bill. I think there were other issues raised in the debate that maybe I could answer. This Bill in effect, does no more, no less than codify existing federal law. Representative Deuster raised an interesting point which I think ought to be clarified. The provisions of the Bill only allow an individual to use this sick leave, this provision of the law, once within a full term of service. So there would not be an instance where a person could use this more than once during any one term of service. I think that's important. And I think that the persons who are interested in supporting the Bill, that might make a difference. Also I think we realize in response to Representative Friedrich's issue here about a 6 (sic) months for a period of pregnancy, if you look at the Bill on page 2 you'll see that it's specific in terms of the time available for a person prior to sick leave. It's not a controversial Bill I hope and I would hope that persons would put some green lights up there because it is presently federal law and this Bill will in



effect acquires to the Illinois.. the Chicago Department of Education... the Chicago Board of Education and Teachers and I think it's a good Bill and would ask for an 'aye' vote."

Speaker Redmond: "Representative Catania."

Catania: " Thank you, Mr. Speaker and Members of the House.

I just would like to point out that the federal law which took effect April 29th, does require that pregnancy and childbirth must be treated the same as any other medical disability and what this Bill does is to just add 'or maternity leave' after or 'sick leave' in two places in the Bill and it says that this will take effect for time spent on maternity leave commencing on or after September 1st, 1979. Now, where it says, 'or maternity leave' in paragraph one on page two. It also says no more than 12 months of sick leave or maternity leave credit may be allowed any person during the entire term of service. So we're not talking about a maternity leave every time you have a baby. In my case I guess this would average out to about 1.2 months per child. This is certainly not a rip-off by anybody's standards and it is simply compliance with the federal law. If we don't pass the legislation then the Chicago Teachers System is going to be dictated to by the federal law. I certainly take the position that it's better to have our own state law and function under that and I hope you'll support the Bill."

Speaker Redmond: "Representative Darrow."

Darrow: "Thank you, Mr. Speaker. While Representative Catania was speaking, Representative Taylor was lobbying us quite strenuously back here and I think we have no alternative but to vote on the merits and vote 'aye' on this Bill."

Speaker Redmond: "Representative Harris."

Harris: "Thank you, Mr. Speaker. There are several down-staters on this Bill. I feel like we should all give our Leader a vote.. green vote."



Speaker Redmond: "Have all voted who wish? The Clerk will take the record. On this question there are 115 'aye' and 49 'no'. The Bill having received the Constitutional Majority is hereby declared passed. 1000."

Clerk O'Brien: "House Bill 1000, a Bill for an Act to Amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Redmond: "Representative Marovitz."

Marovitz: "Thank you very much Mr. Speaker, Ladies and Gentlemen of the House. Before I begin I ought to begin on a sad note by now since the Cubs lost 23-22 in the 10th inning on a home run by Mike Schmidt, but now I'll get to the more important business that is House Bill 1000 which is the Vanity License Plate Bill. This Bill would provide for vanity license plates in the State of Illinois, six letter license plates. The State of Illinois would reap in its first year over a million dollars in revenue. That is projected, \$232,500 per every 5,000 applications. I ought to emphasize that this is a totally voluntary plan. Anybody wishing a vanity plate will be required to pay \$50.00 for that vanity plate and \$10.00 for a renewal plate. The new vanity license plates will be all 4, 5, and 6 letter plates and no numbers... only 4, 5, and 6 letters. And those 3 alpha plates which are presently not made. In the case of duplicate requests such as a request of a name Mike, Larry, or Robert, there would be drawn by lottery. All names will be put into a lottery. They would be drawn by a lottery. All those presently holding what would otherwise be a vanity license plate may retain those plates without charge. They retain those plates without any additional charge. Numbered plates 1-999 will be vanity plates when they become available. If you presently have those plates, you may keep them without any vanity charge, without the \$50.00 charge. This is a system which has worked very well in many other states around the country and I would request a favorable Roll Call on this vanity



license plate Bill, the Secretary of State."

Speaker Redmond: "Representative Skinner."

Skinner: "I think I like Rosco Cunningham's idea better. He was going to put them up for bid, for auction. You really make the State some money. I'll be frank with you. I can be had on this Bill. How about the license plates ROBIN? Would there be exceptions for Legislators on.. who's wife's have names that they'd like to get, or do they have to go into the lottery too? Or can that be taken care of in the Senate?"

Marovitz: "Are you speaking about the names of birds?"

Skinner: "Yes."

Marovitz: " No exceptions."

Skinner: "Little birds. No exceptions."

Marovitz: "No exceptions."

Skinner: "That's much too fair and it doesn't bring in enough money. Darn."

Marovitz: "Very fair. We're trying to be as Democratic as we can."

Speaker Redmond: "Representative White. Representative Wolf."

Wolf : "Will the Sponsor yield for a question?"

Speaker Redmond: "J.J. Wolf."

Wolf: "Would the Sponsor yield for a question."

Speaker Redmond: "He will."

Wolf: "You might have stated and it doesn't say in the Digest, but I read somewhere in the paper that in addition to this \$50.00 fee there was going to be an annual renewal fee."

Marovitz: "\$10.00 renewal fee. But not for those who presently hold what would otherwise be a vanity plate."

Wolf: "Ok. My question then.. my question then is I can understand the fee for plates but that's a five year plate and there's no additional cost. Why the extra \$10.00 annual fee when there's that .. you're getting a five year plate, there's no additional cost."



Marovitz: "Could you repeat the question?"

Wolf: "I say the original fee would be \$50.00 which I understand is a special request for a plate which is specially made. But you're also charging \$10.00 a year for an annual renewal fee, but you're having a five year plate, there's no additional cost in issuing a plate because you don't issue a plate for once every five years."

Marovitz: "All the other states that have this system require an annual renewal fee to bring in additional revenue into the State of Illinois. Again it's a voluntary plan and all the revenue that comes in will go to the Road Fund."

Wolf: "So then you'll actually... you'll get at least an additional \$90.00 over the five year period."

Marovitz: "That's correct."

Wolf: "\$50.00 initially and renewal for 10.00."

Marovitz: "\$90.00 over five years."

Speaker Redmond: "Representative Schlickman."

Schlickman: "Would the Sponsor yield?"

Speaker Redmond: "He will."

Schlickman: "Illinois is one of only two states that does not have a formal vanity plate program. Is that correct?"

Marovitz: "That is correct."

Schlickman: "And this Bill has the support of the Secretary of State?"

Marovitz: "Yes it does."

Schlickman: "Two years ago there was a Republican Sponsored Bill during an identical thing. The Secretary opposed it at that time. When did he come to see the light?"

Marovitz: "Two years ago there was also a Democratic Sponsor that's presently holding the microphone and the Secretary also opposed that Bill. And I'm proud to be joined with you, one of the great Cub fans in history, in Sponsoring this legislation."

Schlickman: "I wish you had listed me as a Cosponsor as I requested. Thank you."



Speaker Redmond: "Representative..."

Marovitz: "If you're not, you should be because I put the request in."

Schlickman: "Your announcement that the Cubs lost, I'd like to move to table."

Speaker Redmond: "Representative Steczo, have you got the magic number for the Cubs yet?"

Steczko: "23-22, in favor of ....."

Speaker Redmond: "He had the magic number a year ago as to how many more games for the pennant? Have you got that? Representative Steczo? Representative Steczo?"

Steczko: "Mr. Speaker, I'm not sure but the calculations as to the number of runs today is probably so high that I would feel that it would be incomprehensible for us to understand."

Speaker Redmond: "Ok.. Representative.. Representative Ewing."

Ewing: "Would the Sponsor yield?"

Speaker Redmond: "He will."

Ewing: "I didn't hear your exact definition of what a vanity plate is."

Marovitz: "Vanity... a new vanity plate would be all four five and six letter plates with no numbers following. It would also be one through 1-999 numbered plates that once they become available. All those plates are presently taken.. when they become available by somebody new, somebody giving it up, or somebody dying, then they would become vanity plates."

Ewing: "1-100?"

Marovitz: "1-999."

Speaker Redmond: "Representative Reilly. Griesheimer."

Griesheimer: "Thank you, Mr. Speaker, will the Sponsor yield?"

Speaker Redmond: "He will."

Griesheimer: "Is the \$50.00 charge the total charge, or is it \$50.00 plus the annual \$30.00 charge for plates?"

Marovitz: "That's an additional \$50.00 charge plus the \$30.00"



Griesheimer: " Alright. Mr. Speaker, I'd like to just briefly speak in favor of this Bill. To just show you how smart the Secretary of State is, I was objecting to the Bill earlier because I wanted a plate that has Griesheimer on there and he said there was no way we could work that out on a single plate but he's going to give me Griesh for the front of my car and Heimer for the back. So I'm in favor of it. "

Speaker Redmond: "Representative Walsh. "

Walsh: "The Gentleman yield?"

Speaker Redmond: "He will."

Walsh: "Is the \$10.00 renewal fee a \$10.00 annual fee or is it when the plate expires at the ...?"

Marovitz: "\$10.00 annual renewal fee."

Walsh: "What if the \$10.00 is not paid, do they take the plate from you?"

Marovitz: "Plate is lost if you do not pay renewal fee."

Walsh: "Well you use the same plate for five years. What's the procedure for recovering the plate?"

Marovitz: "Well I think it would be within the Secretary of State's jurisdiction as to request return of that plate."

Speaker Redmond: "Representative Pullen."

Pullen: "Will the Sponsor yield for a question?"

Speaker Redmond: "He will."

Pullen: "Would Representative Watson be able to get 'Coyote' on his plate?"

Speaker Redmond: "Respond to the question, Representative Marovitz."

Marovitz: "(Howl)."

Speaker Redmond: "Hear him? Anything further? Representative Leverenz."

Leverenz: "Move the previous question, Mr. Speaker. "

Speaker Redmond: "Question is, 'Shall the main question be put?' Those in favor vote 'aye'.. say 'aye', 'aye', opposed 'no'. The 'ayes' have it. The motion carries. Representative



Marovtitz to close."

Marovitz: "Yes, I might also add that the other principle Sponsors of this legislation are Representative Madigan, Representative Giorgi, and I believe Representative Schlickman also. And I think everybody understands now what this legislation is. This will bring us into conformity with the vast majority of other states in this country and bring a substantial amount of revenue to the Road fund of the State of Illinois and I would ask for an affirmative Roll Call."

Speaker Redmond: "Question is, ' Shall this Bill pass?' Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? The Clerk will take the record. On this question there are 157 'aye' and 4 'no'. The Bill having received the Constitutional Majority is hereby declared passed. 1008."

Clerk Leone: "House Bill 1008, a Bill for an Act to Amend Sections of the School Code. Third Reading of the Bill."

Speaker Redmond: "Representative Ronan."

Ronan: "Thank you, Mr. Speaker and Members of the House. This is a very simple Bill. All I'm doing here is expanding the deduction process for school employees. What this Bill does is it allows teachers and other school employees to have deductions withheld from their paychecks for things such as special services, welfare trust, prepaid legal plan and other types of programs. It's a very simple Bill and I hope that there's no question."

Speaker Redmond: "Representative Tuerk."

Tuerk: "Well, Mr. Speaker, Members of the House, it's a simple Bill, but it's simply horrible. Present law really on the books right now provides and specifies for the withholding Membership dues in professional organizations. That was enacted back about five or six years ago. What this Bill will do is expand that concept to not only just dues for professional organizations, but it goes far beyond that and



allows for all kinds of different check offs, namely ..and it also includes any employee within the purview of the school Board which to me means any employee within that school district. What it does is provide for another mandate for the school districts and school Boards, increases the cost of operation and we don't really need that. It even goes beyond to the point where you could even require the school Board to .. to check off any particular donation to political organizations which those teachers really wanted to contribute namely to the IEA or to the IFT or.. any other labor organization such as that. I think there's .. this is real expansive in nature and I frankly don't think it's... it warrants the support of the House." I would suggest a 'no' vote."

Speaker Redmond: "Anything further? Representative Ronan to close."

Ronan: "I think the Bill speaks for itself. It's a very simple concept that allows teachers and other employees of the school system to have the same benefits that administrators already enjoy. This is a Bill for...for teachers and these employees. I really won't place any burden on the school Boards and I move for favorable consideration."

Speaker Redmond: "The question is, 'Shall this Bill pass?' Those in favor vote 'aye'; opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 89 'aye' and 55 'no'. Representative Walsh."

Walsh: "I'd ask for a verification, Mr. Speaker."

Speaker Redmond: "Representative Brummer."

Brummer: "Please record me 'aye'."

Speaker Redmond: "Record Representative Brummer as 'aye'. I think the best way to do is to take a new Roll Call on this one. Only vote your own switch and vote your switch promptly. On this... question is, 'Shall this Bill pass?' Those in



favor vote 'aye' ; opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 97 'aye' and 54 'no'. Representative Walsh."

Walsh: "I withdraw my request for a verification."

Speaker Redmond: "The Bill having received the Constitutional Majority is hereby declared passed. 1012."

Clerk Leone: "House Bill 1012, a Bill for an Act to Amend Sections of the School Code. Third Reading of the Bill."

Speaker Redmond: "Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1012 does exactly what the synopsis says. It provides a tenure teacher shall accrue seniority rights within their areas of certification according to the length of services school district and at the order of tenure teachers, dismissals for reasons other than just cause shall be determined on a seniority basis. If you believe in the seniority system it is very objective I feel and is acceptable to the great majority of employees within any system or any line of business. When teachers and other persons are employed they should be informed of the policy of course that the last hired is the first fired in in fact there's cut backs within any school district. And if this.. is not adhered to by the school district basically what you have is administrators and school Boards arbitrarily dismissing employees without due process and declining enrollments and budget cuts may force many school districts to lay off staff members. In Illinois the law requires that probationary teachers be released first and that a tenure teacher be assigned to any vacant position for which he is qualified and that's the basis for the legislation. It's a seniority basis for lay off<sup>s</sup> in the area of declining enrollment. There's something other than just cause. I'd be happy to answer questions."

Speaker Redmond: "Representative Hoffman."



Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to House Bill 1012. As a school teacher and as a Department Chairman, let me explain to you exactly how this kind of thing can work. To be certified it doesn't necessarily mean that you ever taught in the subject area. I happen to have a certificate in business administration, accounting, business law, business arithmetic, and I've never taught them. I have a... I'm certified in the social sciences in history. I have taught those. So I'm certified across both of those areas. However, if someone is dismissed in the business department and let's say I have four years of seniority, have never taught there and I'm teaching the history department, and someone who has taught there three years and we're in the process of getting... losing people in the history department, I can bump that person and I have never taught in that area, however, I am certified in that area. Ladies and Gentlemen of this Assembly let me assure you that this kind of program is not in the best interests of the boys and girls in that school. It seems to me that's really what education is all about. Education in schools is not a place where people... is not set up for the purpose of employing people; it's set up for the purpose of educating people. I feel that this particular Bill will be a detriment to that basic responsibility and therefore I rise in opposition to House Bill 1012. "

Speaker Redmond: "Representative Anderson."

Anderson: "Yes, Mr. Speaker. Would the Sponsor yield? Representative Mautino, there was an Amendment proposed to this Bill. Was that adopted?"

Mautino: "Representative Anderson, what happened is when that Amendment was called, Representative Hoffman wasn't on the Floor so we had a discussion later and he has agreed today that we didn't have to bring the Bill back for that Amendment. If it passes, he will try to put the Amendment



on in the Senate rather than pull the Bill out of Second Reading."

Anderson: "Well I think the way the Bill is written for the same reasons I would have to oppose it. I wouldn't want to see the Bill going out of the House the way it is because let's say that there was a fellow that was a coach for 10 or 12 years and he was certified to teach physics, yet he had never taught it. And the school Board had hired a young fellow with a masters degree a year or two years before. Who would get let go under your Bill if there was a reduction? Let's say that they did away with football and the coach was the one that was out of a job."

Mautino: "It would be the last one hired would be the first one fired."

Anderson: "So the man with the physics degree would probably be the one that would leave."

Mattino: "Well that decision would be made yes, by the Board and.."

Anderson: "But the way the Bill is written, Representative Mautino, that's ..."

Mautino: "You're correct."

Anderson: "Thank you. I oppose this Bill for that reason."

Mautino: "Well the seniority system, Don, if I can evaluate that to the General Assembly. It's a matter, if you believe in the seniority system you have Leadership that has been here a long time and has.. knows the ins and outs and people send them back year after year. If you believe in the seniority system that's the philosophy behind it as opposed to having let's say, a new Member be nominated and elected to the Speaker of the House. I think it's a parallel situation."

Speaker Redmond: "Representative Deuster."

Deuster: "If the Sponsor would yield for a question, Representative Mautino, do you believe that the best teacher should be in the classroom with our children or the oldest teacher?"

Mautino: "I think the teacher that should be in the class room is



that teacher who has been certified and has been examined by the school Board and who is the best and probably the person who has been there the longest is the best to experience."

Deuster: "Do you... are you aware that our schools evaluate teachers and evaluate their performance?"

Mautino: "Yes, Sir."

Deuster: "What's the purpose of that evaluation?"

Mautino: "I think it's for a seniority system for increment seniority rights, additional benefits and how they do in the class room. And I think that's done by the administration, if I'm not mistaken."

Deuster: "Well have you ever seen an evaluation?"

Mautino: "I'm not an educator but I have not had the opportunity to look at one, no, Sir."

Deuster: "Well, Mr. Speaker, if I might speak to this Bill, I think it's absolutely ridiculous and preposterous to suggest that the teachers who are the oldest who have been employed the longest are the best. Most of the good schools in this State and most of the schools generally evaluate the performance of their teachers and if you've seen a teacher evaluation it considers such things as how they dress, the discipline they have in the class, whether they prepare lesson plans and a lot of factors and criteria is rated.. graded through their performance. There are some teachers that have been around a long time that are pretty poor; but young teachers fresh out of college that are excellent and vibrant. And I think and I hope that the House will think, I think the people of Illinois think, that if we're going to take tax money and support our schools and hire teachers, we ought to make sure that the very best teachers are in there and the oldest are not the best. If we were to reduce the size of the General Assembly, I don't.. I think maybe half of the Members might think that the older ones should stay in and the



younger Members would think that that's unfair. I think if you talk to teachers around Illinois you'll find that half the teachers don't want this Bill. The younger teachers don't want to be fired just cause they're young. They would like to be evaluated on their merit, on their performance and unless you have that kind of a system why you're going to guarantee mediocrity in our schools or at least you're going to dispel any consideration for merit and for performance. If you read this Bill you will see that the only criteria for dismissing teachers, the only criteria, the Bill says shall , the only criteria is to get rid of the young ones without any reference to the quality of their performance or to their specialization, you can have a teacher that's been teaching kindergarden for many many years and all of a sudden you're going to have to shift her up to 7th grade, she may not even want to do that. She'll have no qualifications back on her training for that and I would certainly urge that we leave the system the way it is and not bring in the seniority without merit. We could call this the nonmerit Bill and I would urge your 'no' vote. Thank you."

Mautino: "Well, in response to your question, Representative Deuster, you know that they have the opportunity for the first 3 years on those nontenured educators to do exactly what you propose. If the administration feels that they have been doing an excellent job through teaching, experience, and qualifications, after 3 or 4 years I would assume that their evaluation at that time was very good and would continue to be so. If they have a poor evaluation they'd get rid of them before they got to the tenured position. Don't you agree with that?"

Speaker Redmond: "Representative Schneider. Representative Deuster, thought you'd run down."

Deuster: It wasn't the question. I think it's been discussed enough. Thank you."



Speaker Redmond: "Representative Schneider."

Schneider: "Thank you, Mr. Speaker. As one of the young and vibrant teachers with a lot of seniority, one of the things that I've noticed over a few years is that certification is a valid way to determine teaching qualifications. I happen to be qualified in a number of areas. U.S. history happens to be one. English rhetoric and others is still another. Now those are areas that I have not taught in either but certification establishes the ability of the teacher to have mastered the knowledge as well to be the capable teacher in the classroom. So I think certification probably is a legitimate way to evaluate teachers who have been in the district for a number of years who have distinctly qualified themselves as teachers and as compared to the question of academic accomplishments. I'm saying that certification in one's area could be multiple, that is I could be in history in English as I happen to be and teach in both of those areas although I have not taught English for some time. The other point is that I've seen school districts and I've heard the debate about the boys and girls quite often but I've seen school districts that I've been involved in dismissing qualified teachers who were nontenured or for other reasons so they can get a basketball coach or so they can hire a volleyball coach. It's that kind of abuse that we're kind of looking at. This is just one portion of the debate that's been going on here today whether it's by rehiring on the basis of reduction in forces, whether it's rehiring nontenured or giving them proper hearings, I think all of that as far as this debate, this Bill just touches one of those elements. I think it's a sound Bill. I think it keeps everybody honest. I don't see any reason why you cannot support it."

Speaker Redmond: "Representative Totten."

Totten: "I move the previous question. The Gentleman proved that certification for rhetoric doesn't work."



Speaker Redmond: "The question is, 'Shall the main question be put?' Those in favor say 'aye', 'aye' ; opposed 'no'. The 'ayes' have it. Representative Mautino to close."

Mautino: "Thank you, Mr. Speaker. Basically what we're saying is that greater teaching experience and levels of training are currently rewarded through salary increment, pensions, and increased job security is consistent with this approach. And if you believe in the seniority system, then I ask for your 'aye' vote very simply and specific."

Speaker Redmond: "The question is, 'Shall this Bill pass?' Those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Representative Stuffle."

Stuffle: "Yes, Mr. Speaker and Members of the hyphenated principle Sponsor, I rise in support of the Bill. Representative Schneider and Mautino pointed out well that during the first few years of a teachers' position that the school Board already has the ability to dismiss on a subjective basis before they are tenured. After that there needs to be I believe as there is in private industry some concrete formula for dismissal. Seniority nor no other provision would be completely right in all cases but I think it is better than having a totally subjective program, which is the case now. You're either for seniority or against it. It exist in the private sector and I think here it would exist as a concrete factor that is better in fact than the way the thing is done now."

Speaker Redmond: "Have all voted who wish? Representative Polk."

Polk: "Mr. Speaker, Ladies and Gentlemen , we've had quite a few education Bills and this is one Bill I think we really should take a good hard look at. The idea, we all know, we're all familiar that we're having a declining enrollment and at the present time we have no system in the State of Illinois on how we're going to cut back on the teacher force. It's a very very difficult thing. It's very difficult for the school Boards, it's very difficult for the administra-



tors, they're looking for a way out themselves. I think this is an opportunity to have a set up; and established way throughout the state so that everyone knows how it's going to be done. There's no question then how the people will be if.. in the areas it's necessary where we have cut backs. It's something that we hope we don't have to do , but we do know where there's a continuation of the declining enrollment. It's going to happen. I think this is a good plan to do it. This way state-wide if it has to be done and at least we'll be putting in the statutes so everyone will know how it is going to be done."

Speaker Redmond: "Have all voted who wish? The Clerk will take the record. Representative Mautino? Postponed Consideration? Postponed Consideration. It's the intention to work tonight until about 8:00 o'clock. We'll be in tomorrow at 9:30. It's the best judgement of the Chair that we work Saturday, however the motel and hotel association has called and indicated there's a shortage of rooms on Friday but there are plenty of rooms in Lincoln, Bloomington, Virden, Decatur..... Schneider has found some in Bloomington and Pontiac. So, I think the best way to do is put the burden upon the Membership here. Do you want to work on Saturday? Ok. Roll Call. Those who want to work Saturday vote 'aye' and opposed vote 'no'. Have all voted who wish? Ok. Take the record, Mr. Clerk. It would appear to be the consensus of the House that you do not desire to work on Saturday. But we will be in Monday at 9:30. Representative Matijevich, you tell your problems to Representative Flinn. Will all the lawyer Members of the House go back to the Speaker's Office for a short while? Representative Ryan."

Ryan: "Thank you, Mr. Speaker. I'd like to have my vote changed to green. I hit the button wrong. I would like to work..."

Speaker Redmond: "Does he have unanimous consent to change it to green? We took the Roll Call. Representative that's not



a record call for the purpose of flags or anything. That's... Hanahan's not keeping count on that one... Representative Matijevich. Lawyers in the Speaker's Office for about ten minutes."

Matijevich: "Mr. Speaker as long as we're taking some Roll Calls, as I recall we only took one Roll Call for attendance and that was the one that got... or there were only 89 Members here. You said something about perdium and I know there's more than 89 Members. I wonder if we should have another Attendance Roll Call?"

Speaker Flinn: "Roll Call for attendance. Roll Call for attendance."

Clerk Leone: "Representative Flinn in the Chair."

Speaker Flinn: "Take the record. Representative Giorgi, for what purpose do you rise?"

Matijevich: "Representative Giorgi wants to make the question. How can he fit all the lawyers in the Speaker's Office. They'll need a hall."

Speaker Flinn: "Representative Friedrich."

Friedrich: "Mr. Speaker, I was aware under the rules that the House divides into Committee, we elect Leadership and so on, but are we now developing a cast system? If it is, I suggest all the nonlawyers adjourn to the Sangamo Club."

Speaker Flinn: "Roll Call on that. House Bill 1094."

Clerk Leone: "House Bill 1094, a Bill for an Act to Amend the State Parks Act, Civil Administrative Code, and the Act requiring timely deposit of state funds. Third Reading of the Bill."

Speaker Flinn: "Representative Campbell."

Campbell: "Mr. Speaker and Ladies and Gentlemen of the House, I was going to say before that last Roll Call, they have plenty of rooms at the Hyatt Regency in Chicago in case anybody wanted to stay up there and work. House Bill 1094 is a Department of Conservation Bill and it provides that that Department may deposit income received from its operations every Monday if the amount received exceeds \$500.



The present time deposits are made on the first and the fifteenth of each month or whenever they exceed \$500. This legislation would extend the current coverage that is all income realized from properties under the jurisdiction of land and historic sites to alter the Department of Conservation Bureau. This Bill should reduce the frequency of having to make incremental split deposits and I.. it came out of Executive Committee 14 to 1. I know of no opposition. I'd appreciate your favorable support."

Speaker Flinn: "Any further discussion? If not, the question is, 'Shall House Bill 1094 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 144 voting 'aye', none voting 'no' and one voting present. This Bill having received the Constitutional Majority is hereby declared passed. Representative Totten."

Totten: "Thank you, Mr. Speaker. I just wanted the House to note how easy we got that Bill passed without any lawyers on the Floor."

Speaker Flinn: "Representative Getty, you're not supposed to be here, but I'll recognize you."

Getty: "Well I just rise to a point of personal privilege. I like Representative Totten to note that both Representative Daniels and I are on the Floor watching what's going on."

Speaker Flinn: "Representative Daniels."

Daniels: "You have no idea what they're doing back there but when they get out, you'll find out."

Speaker Flinn: "Representative Pullen."

Pullen: "Mr. Speaker, I'm wondering whether we might take this auspicious occasion to change the order of business for Representative Daniels or Representative Bradley or whoever it is to call Product Liability Reform?"

Speaker Flinn: "House Bill 109.. 69. I understand Representative



Polk will handle this one. Read the Bill." Clerk Leone: "House Bill 1096, a Bill for an Act to Amend an Act concerning development of outdoor recreation resources by the Department of Conservation. Third Reading of the Bill."

Polk: "Mr. Speaker and Ladies and Gentlemen the Department of Conservation already has the responsibility of these activities. This Bill simply would place the authority in the Statutes. It came out of Committee 10 to nothing and I would hope that it be passed."

Speaker Flinn: "Any further discussion? IF not, the question is, 'Shall House Bill.....' Representative Ewing, another one on the Floor. There's another lawyer."

Ewing: "I just wanted you to know that all the lawyers aren't in there. I'm still here with the people. What Committee did that come out of, 10 to nothing?"

Polk: "Environment, Energy and Natural Resources."

Ewing: "Is that the Conservation Committee?"

Polk: "I'm just reading off of what the Committee it came out of. That was your question. Yes. It is. They were told... the staff just said yes it is."

Ewing: "Just one further question. How would you qualify as a private participant?"

Polk: "Zeke, what was your question Zeke?"

Ewing: "No, no. We have joint questions."

Polk: "The Federal law now... the federal law now says that if a home is on the National Register, it qualifies."

Ewing: "Alright. And the last question. Who's that fellow speaking for you over there?"

Polk: "My mouthpiece."

Speaker Flinn: "Have all voted who wish? The question is, 'Shall House Bill 1096 pass?' All those in favor vote 'aye' and those opposed vote 'no'. Have all voted who wish? Have all voted who wish?"

Unknown: "Some reason we seem to have more fun without the."



lawyers."

Speaker Flinn: "The Clerk will take the record. On this question there are 143 voting 'aye' and none voting 'no' and 3 voting present. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 1135."

Clerk Leone: "House Bill 1135, a Bill for an Act in relation to the acquisition of land for state parks. Third Reading of the Bill."

Speaker Flinn: "Representative Skinner."

Skinner: "Mr. Speaker, this is an unabashed end run around the Budget Bureau and the Executive Branch in an attempt to shake future budgets, capital acquisition of... with regard to capital projects. I've noticed since I've been here in the General Assembly that we spend precious little money buying park land and we do so because the land has to come out of bonded indebtedness and there're always other things higher on the priority list, such as prisons, or specialized living centers, or highways, or new office buildings in Springfield. During the same period of time my conservation District in McHenry County has made very good use of buying land on contract. They have basically ended up paying yesterday's prices, or today's prices rather than tomorrow's prices and getting quite a deal and it occurred to me that if we in the Legislature wish to assert some of our budgetary Constitutional authority and help shape the budget instead of only reacting to it, that we should allow the Department of Conservation to buy property on contract so that we won't have to spend more money later on. This authorizes the Department to spend \$20,000,000 in total purchase price under contract at one time and I would respectfully ask for your support."

Speaker Flinn: "Any further discussion? If not, the question is, 'Shall House Bill 1135 pass?' All those in favor vote 'aye'; those opposed vote 'no'. Have all voted who wish?"



Have all voted who wish? The Clerk will take the record. On this question there's 137 voting 'aye' and 12 voting 'no', and none voting present. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 1148 and the Sponsor will be Vinson, in the absence of Mr. Ryan."

Clerk Leone: "House Bill 1148, a Bill for an Act to Amend Sections of Public Community College Act. Third Reading of the Bill."

Speaker Flinn: "Representative Vinson."

Vinson: "Mr. Speaker and Members of the House, this is a very simple Bill. It attempts to provide equity for the state community college Board with the other governing ... pardon me... with the other governing Boards in higher education. And raises the potential limit on the amount of indemnification they can purchase for their Members from \$100,000. It removes that ceiling. I urge a favorable vote."

Speaker Flinn: "Any further discussion? If not, the question is, 'Shall House Bill 1148 pass?' All those in favor vote 'aye' and those opposed..... Representative Polk has a question."

Polk: "Well, Mr. Chairman, I'm very concerned frankly. I don't see Ryan on the Floor, I don't see...."

Speaker Flinn: "Well I just announced that..."

Polk: "Telcser and I don't see Watson. Are they having a pharmacists meeting too or what?"

Speaker Flinn: "The question is, 'Shall House Bill 1148 pass?' All those in favor vote 'aye' and those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 149 voting 'aye', 2 voting 'no', none voting present. And this Bill having received the Constitutional Majority is hereby declared passed. I don't have a Sponsor up here for 1249, Kozubowski's. We'll pass over that one. House Bill 1251."



Clerk Leone: "House Bill 1251, a Bill for an Act to Amend the Chicago Firemen's Pension Fund Article of the Pension Code. Third Reading of the Bill."

Speaker Flinn: "Representative Capparelli."

Capparelli: "Mr. Speaker, Ladies and Gentlemen, House Bill 1251 Amends the Chicago Firemen's Pension Fund Article. It revises the minimum widow's annuity from \$200 to \$250 and the retirement and annuity from 350 to 375. We have put on an Amendment to increase that only \$25 and the Pension Laws Commission approved that. And I would recommend a 'do pass'."

Speaker Flinn: "Any further discussion? Representative Ebbesen."

Ebbesen: "Yes, Representative Capparelli, would that Amendment... was is the... do you have the ... what is the difference as far as the unfunded accrued liability increase in the normal cost now?"

Capparelli: "Normal cost now will be \$360,000."

Ebbesen: "And the unfunded accrued liability of the...."

Capparelli: "Four million, four hundred thousand."

Ebbesen: "Thank you."

Speaker Flinn: "Representative Jake Wolf."

Wolf: "Did the Pension Laws Commission approve this Bill?"

Capparelli: "I be your pardon."

Wolf: "I asked if the Pension Laws Commission approved this ..."

Capparelli: "Yes, they approved it after we lowered it from 50 to \$25. Yes."

Wolf: "I thought the Pension Laws Commission always has opposed minimum dollar amounts as a matter of policy."

Capparelli: "I'm telling you that they asked us to lower it to \$25 and then they approved it."

Wolf: "Alright. One further question. Is there a tax levy increase in this to pay..?"

Capparelli: "No, it stayed out of the twelve million dollars earnings from the interest."

Speaker Flinn: "Representative Schraeder."



Schraeder: "Mr. Speaker, if it's paid out of the twelve thousand... twelve million dollar earnings what about the unfunded amount, shouldn't we pay that first?"

Speaker Flinn: "Any further discussion?"

Capparelli: "They are 49% funded right now."

Speaker Flinn: "The question is, 'Shall House Bill 1251 pass?'"

All in favor vote 'aye'; those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 123 voting 'aye', 14 voting 'no', and nine voting present. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 222."

Clerk Leone: "House Bill 222, a Bill for an Act to Amend the Civil Administrative Code. Third Reading of the Bill."

Speaker Flinn: "Representative Schlisler."

Speaker Lechowicz: "The Gentleman from Fulton, Mr. Schliser."

Clerk Leone: "Representative Lechowicz in the Chair."

Schlisler: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 222 transfers the powers and duties in personnel and property of the state fair agency to the Department of Agriculture. The state fair superintendent then becomes an officer of the Department of Agriculture and incorporates the Board of state fair advisors to the Department. And I'd like to yield to Representative Ropp, since he's a hyphenated Cosponsor on this legislation."

Speaker Lechowicz: "Is there any discussion? The question is 'Shall House Bill 22...222 pass?' All in favor vote 'aye'; all opposed vote 'no'. Zeke. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 125 'ayes', 13 'nays', 3 recorded as present. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 349."

Clerk Leone: "House Bill 349, a Bill for an Act to Amend Sections of the Unified Code of Corrections. Third Reading of



the Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Greiman."

Greiman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill deals with in a not overly substantial way with the problem of prison dead lock. Until .. at this point, we have nothing in our statutes that allows a prison deadlock. This Bill authorizes prison authorities to impose a deadlock if the security of the institution requires that. It also then requires that the warden or the head of the agency advise the Governor and within 30 days of the imposition of that deadlock the prison review Board will hold a hearing and for a very limited purpose. The limited purpose being to allow evidence of the security conditions in the prison and to allow prison authorities to come forward with a plan to end the deadlock. I believe that this will essentially be a device to keep the federal courts out of our prison system. It does not allow the prison review Board to substitute its judgement for the judgement of prison officials. Prison officials remain in charge in our prisons. And that's as it should be. But it does give people a right to know what is happening in our prisons and does provide us with some requirement that prison officials when they impose a deadlock indeed at the same time begin to think about a comprehensive plan to end the deadlock. At the hearing all the Board can do is listen and continue that for 30 days and see what the status is then and until there's an end to the deadlock. It is a Bill that tries to and I think does, balance the rights of the prison officials to run their show and allows the people of Illinois some information as to what's going on in the prison. I believe it also and more importantly as I indicated, keeps the federal courts out of our prison. Says Illinois has a plan, Illinois has a program for dealing with its deadlocks. And that in fact is the trouble that we have had in the courts in recent days. It is a Bill which



quite frankly, I have Amended to after listening to objections of the Department of Corrections. I put every single suggestion that the Department of Corrections had into my Amendment, every single one. And when I did that the Department said, 'No. We oppose the Bill.' But they oppose the Bill I think because they opposed anybody looking over their shoulder. Well that's nice. I suppose every agency of state government would have the same feeling. But I have incorporated all of the suggestions in this Bill that the Department of Corrections required. I would ask that you approve this Bill. I think it is a sensible Bill and walks the middle course for both prisoners, for the public and for the courts. I thank you."

Speaker Lechowicz: "Any discussion? The Gentleman from Cook, Mr. Mahar."

Mahar: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Will the Sponsor yield for a question?"

Speaker Lechowicz: "Indicates he will."

Mahar: "Would you say that the Department of Corrections did not support this Bill?"

Greiman: "... support it... although... I gave them... I requested information as to how the Bill might be you know, bring with their approval. They made some concrete and some constructive suggestions and I incorporated their suggestions into the Bill."

Mahar: "What does this Bill do to the present powers of the warden?"

Greiman: "Nothing at all. At present warden may impose a deadlock.. Well as a matter of fact, I take that back. It gives him authority in the statutes to impose a deadlock. At this point nothing in our statutes allows anybody to impose a deadlock. To the contrary. We have statutes in Chapter 38 that indicate that every prisoner must have thus and such and thus and such each week and each day and what we have now are the warden to impose the deadlocks and



justifiably so because there's a security problem. But this gives wardens the heads of prison authority the right to do this if there is in fact a security problem. So it does give... it gives the DOC authority which you know they say we have anyhow but it gives them the statutory authority they do not have now."

Mahar: "Well when you have a very serious situation, as a riot in the prison like we've had last year, don't you think that legislation like this would distract the warden and his staff from trying to restore order by complying with reviews and...."

Greiman: "Absolutely not..."

Mahar: "Why wouldn't it?"

Greiman: "We have... well they impose the deadlock. They impose that deadlock as they see fit immediately and I applaud them for that and I support them in that and what we're saying is that within a 30 day period that they're after, they have to come in and they have to say, 'This is our basic plan for ending deadlock.' Now, obviously if the prison is in tumult and the prison is still in a terribly insecure situation, nothing will happen and they will say we continue this for 30 more days. And 30 more after that and 30 more until there is some kind of situation. But let's not kid ourselves. At this point those prisoners are running to the federal courts. I'm giving them a place to go so that Illinois can take care of its own prison system and the prison authorities whether they want to or not they are going to have to address the problem of ending prison deadlock. The federal courts going to make them do that."

Mahar: "Mr. Speaker, may I speak to the Bill?"

Speaker Lechowicz: "You've got about four minutes. Please proceed."

Mahar: "Thank you, Mr. Speaker for the four minutes. I won't take that long. It just seems to me that in the situation like we've had in the State of Illinois, that anything



distracts from the warden and the Director of Corrections to solve a very serious problem hinders not only their ability to administer that prison but it hinders the ability to bring the prisoners back to normal . Now I think when we're talking about deadlock, and talking about the problems that are created, we ought to see what happens in these prisons and see what some of those things are that are going on there. Anything I think that would distract in any way shape or form from the warden and his staff's ability to take hold of a very serious situation and bring some... restore some order would not be in the best interests of either the prison system or the prisoners themselves. And I think we ought to defeat this Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Henry."

Henry: "Thank you , Mr. Speaker, Ladies and Gentlemen. I rise to speak in favor of House Bill 349. It's clear to me and I'm sure it's clear to all of you here that that Department needs help. The courts as the Sponsor just spoke of, plays a major role in overseeing the Department of Corrections recently. The question is, 'Do we want the federal courts to run the Department of Corrections or do we want the State Department of Corrections to administer their responsibility?' And I believe the latter is proper. With the limited expense I have in law enforcement I think the people that are paid to do the job to protect and serve and correct and rehabilitate, the people that are inmates, I think the Sponsor has a good idea and I'm in favor of 349. Thank you."

Speaker Lechowicz: "The Gentleman from Fulton, Mr. Schlisler.

Oh, he's not there. The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Mr. Speaker, I move the previous question."

Speaker Lechowicz: "The Gentleman has moved the previous question.

All infavor signify by saying 'aye'. 'Aye'. Opposed. The previous question has been moved. The Gentleman from Cook, Mr. Greiman, to close."



Greiman: "Thank you , Mr. Speaker and Ladies and Gentlemen of the House. Very briefly, the Bill really has nothing to do with impeding the obligations or their rights or the strength of the power of prison officials. To the contrary, it beefs up their power. It makes them... it gives them the statutory authority to impose a deadlock. It gives them the statutory authority to keep security in our prisons, something that every man and woman in this room believes in. But it also require an accountability to the people of Illinois and it makes sure that our prison system will remain in the hands of state officials. If we trun our backs, if we do nohging to require our prison officials to develop a plan to end the deadlock then we are essentially advocating the control of our prisons to the federal courts and I believe this is important Bill for that reason and ask you to vote affirmatively for House Bill 349. Thank you ."

Speaker Lechowicz: "The question is, 'Shall House Bill 349 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The Gentleman from Cook, Mr. Getty, to explain his vote. Timer's on."

Getty: "Mr. Speaker, I rise to explain my 'aye' vote. I think this is a very simple proposition. You want the federal courts running this sort of circumstance when there has been a deadlock. If you don't want the federal courts telling Illinois what to do then follow this very logical systematic system which has been suggested by Representative Greiman. I want to compliment him on meeting every objection that was raised by the Department of Corrections, systematically and I think that this is a Bill that should be implemented."

Speaker Lechowicz: "The Gentleman from Will, Mr. Davis, to explain his vote. Timer's on. "

Davis: "Thank you, Mr. Speaker and Ladiea and Gentlemen of the House. I believe the Sponsor of the Bill is somewhat naive



...if he believes that injecting the prisoner review Board for a hearing process was going to keep the federal court out of the Department of Corrections and let me prove that only by saying to you that the current administration when it went into a state . . . . deadlock for purposes of shake down up there, presented the most detailed plan that I've ever seen in the Department of Corrections for the purposes of maintaining services in an orderly deadlock during the shake down process. Three days after that started they were in Judge Crowley's Court trying to explain that procedure. Now it just isn't going to happen. The federal courts are always going to be involved in this procedure. I can tell you that the current administration is absolutely opposed to this. They're doing a good job now. I can't speak for the prior Director, but this Director is cognizant of his responsibilities and duties under deadlock and comes up with comprehensive and meaningful plans for delivering services....."

Speaker Lechowicz: "The Gentleman from Rock Island, Mr. Polk, to explain his vote. Timer's on."

Polk: "Well, Mr. Speaker, Ladies and Gentlemen, Representative Greiman just added a new list to his Greiman's laws. He's now using that saying if we don't do it, the Feds are going to come in and take over. I don't believe that's absolutely correct. I do not believe that is absolutely what's going to happen. You're talking about a situation here that we are certainly trying to take care of and I do believe that discretion must be left in many many instances to the wardens of our institutions. That's why we hire them and that's why we pay them. If we start letting them, and I've spent as much time behind bars as anybody here, if we leave them and let those people who absolutely want to run those institutions, who are the inmates and they're the ones who are running them today. And Director 'Franzen' said it in the paper last week. He's still not sure whether we're



in control or the inmates are in control state's....."

And he admits that problem. We do have problems at those institutions but this is not the way to take care of it."

Speaker Lechowicz: "The Gentleman from DeWitt, Mr. Vinson. Mr. Vinson. The timer's on."

Vinson: "Mr. Speaker and Members of the House, this is a very bad Bill. It contains a standard that limits the warden or the Department of Corrections from declaring a prison emergency. That standard is almost identical to the standard that you can intervene in a free speech question and prohibit free speech on. That's the only time you're going to be able to have a deadlock. It's going to be reviewable in court and you're not going to get the deadlock is essentially what's going to happen. We're going to lose complete control of the prisons if we pass this Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Birkinbine. Timer's on."

Birkinbine: "Thank you, Mr. Speaker. If I could make reference to my 'no' vote and put it in the position of a question that perhaps the Sponsor of the Bill can answer when he explains his vote; I refer you to the Digest where it describes this Bill and it says, 'Deadlock does not include the lockup or locking of any cell or number of cells for the purpose of conducting a search of the cell'. Now if indeed weapons at a prison constitute a problem, how is this Bill going to help maintain order in that institution when you're not allowed to impose deadlock in order to search a cell? As I recall during this last deadlock they uncovered a small... a weapons cache that a small army could run on."

Speaker Lechowicz: "We'll get to you in a minute, Mr. Greiman. The Gentleman from Will, Mr. Leinenweber."

Leinenweber: "Yeah, first, Mr. Speaker, if there's a chance this doesn't get 89 votes I would want a verification. But secondly on the Bill I'm voting 'no' on it and the Sponsor of this obviously does not have a penitentiary in his district."



He doesn't have guards as constituents because if he did he would never put a Bill like this in. Now, most of the objections to this Bill have been adequately covered. I think the one thing that ought to be stressed is that the federal courts don't care, give a hoot what we down here anymore than they care what the Governor or the warden in the penitentiaries do in the penitentiaries. If they want to come in they're going to come in anyway. So that's a smoke screen. We don't need this Bill. It would seriously hamper the conduct of our penitentiaries which are difficult enough in this day and age and the public hearing is probably the worst part of this Bill because you're going to have a three ring circus that will continue on and on and on because every single inmate will want to testify to this thing. There's no way .... there's no procedural set up here for the conduct of this hearing and I can't urge the Members more to vote 'no' on this Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Kelly, to explain his vote. Mr. Capparelli, please."

Kelly: "I joined in the opposition to this proposal. I do think it would tie the hands of the wardens and the law enforcement persons. First of all to even obtain a... to even go into a deadlock, the warden would have to prepare facts, set forth facts that indicate why this.. why there is a threat... why there is.. what they're... in the security area to the institution. I visited with the prison in Statesville. I've been involved in these deadlocks. And I know what occurs and I think the more that we tie the hands of our.. our our wardens and of our law enforcement officials, the more we make it a problem from there. There's too much intervention right now at the federal level and this only adds to it. And I would say that it's just.. while the concept might be a good idea, this particular Bill the way it's drawn... it's just...."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Greiman, to



explain his vote. The timer's on." ~~and the timer's on.~~

Greiman: "Well, I would think that it would help Mr. Kelly and some of the other Speakers a lot if they had read the Bill. I would think that would help a lot. As a matter of fact no one has to prepare anything before they impose a deadlock. They can act with the same swiftness that they could have always acted. As a matter of fact they have authority to act under this Bill now. They ... with respect to Mr. Birkinbine's question, on the contrary. If you're just going to search the cells, you don't have to go through this whole process. They can do that without anything at all. This is only where they lock the prisoners in and they keep them in for a long period of time. That's when they've got to do it. If they're just going to search those cells they don't have to do it. And that provision, ... <sup>that provision</sup> that provision was drawn at the express instructions of the Department of Corrections. This Bill was drawn essentially by the Department of Corrections and then they said, 'We don't want anybody looking over..'"

Speaker Lechowicz: "Have all voted who wish? The Gentleman from Cook, Mr. Schlickman to explain his vote. Timer's on."

Schlickman: "Mr. Speaker, Members of the House. In explaining my 'aye' vote, number one; I refer to the Fiscal note by the Department of Corrections which indicates that there would be no Fiscal impact. Number two; I direct your attention to the last page of the Amendment which is the Bill stating that the prison review Board is not empowered to end, modify, or Amend the deadlock procedure imposed by the Chief Administrative officer of the correctional institution. In other words, Mr. Speaker, Members of the House, the prison review Board would have no power. However, Mr. Speaker and Members of the House, the prison review Board would have the authority to conduct a public hearing and subject to chief administrative officer of a penal in-



stitution with respect to accountability. I think it's a good administrative procedure. It will do a lot to save all federal interference and take over our penal institutions as has happened in one state, the state of Alabama and I would encourage your 'aye' vote."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 74 'aye', 84 'nay'. The Gentleman from Cook... I'm sorry. 74 'aye's 88 'nays'. And one recorded as present. The Gentleman from Cook, Mr. Greiman. The Gentleman asks leave to have it put on Postponed? House Bill 349's on Postponed Consideration. House Bill 797."

Clerk Leone: "House Bill 797, a Bill for an Act to Amend Sections of the School Code. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Stephenson, Mr. Rigney. Rigney please."

Rigney: "Mr. Speaker. Under current law where property comprises an aggregate of assessed evaluation of 3% or more of a school district's assessed evaluation; and that particular taxpayer goes bankrupt the school district then has the privilege of Amending their state aid claim to reflect this loss. Now what's contained under House Bill 797 is to reduce that figure where there's been a bankrupt railroad from 3% down to 1 and  $\frac{1}{2}$  %."

Speaker Lechowicz: Please continue... Is there any discussion? The Gentleman from Macon, Mr. Dunn."

Dunn: "Will the Sponsor yield?"

Speaker Lechowicz: "Indicates he will."

Dunn: "This legislation affect railroad bankruptcies only?"

Rigney: "This particular Bill, yes."

Dunn: "Thank you."

Speaker Lechowicz: "Any further discussion? The Gentleman from Sangamon, Mr. Kane."

Kane: "Would the Gentleman yield? Why should railroad bankruptcies be treated any differently than other kind?"



Rigney: "Well to give you a direct answer, Mr. Kane, we were not able to come up with a Fiscal note to determine what might be the overall effect as far as state aid claims and so forth if we simply allowed every type of bankruptcy. Generally speaking, it would have to be something of the magnitude of a railroad to have that kind of effect upon a school district."

Kane: "One and a half percent of the assessed value?" )

Rigney: "That's correct."

Kane: "How much money will this give to whatever school district it is that you're looking at?"

Rigney: "Well there happens to be one in my legislative district that stands to gain about \$9,000 under this."

Speaker Lechowicz: "Mr. Kane, are you completed? The Gentleman from DuPage, Mr. Hoffman."

Hoffman: "If Mr. Kane is satisfied, I will make no comment."

Speaker Lechowicz: " Mr. Rigney to close."

Rigney: "Mr. Speaker I think the issue is very clear. As I stated before, any school district that is caught in one of these railroad bankruptcies... they have been several of these in the past.. there may be more in the future. I simply ask for your 'aye' vote."

Speaker Lechowicz: "The question is, "Shall House Bill 797 pass?" All in favor vote 'aye'; all opposed vote 'nay'. Lee. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 144 'aye', 3 'nays', 7 recorded as present. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 853."

Clerk Leone: "House Bill 853, a Bill for an Act to Amend the School Code. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Coles, Mr. Stuffle."

Stuffle: "Yes, Mr. Speaker and Members of the House. If you're looking at the Digest for the Bill I hope you will note that the Bill has twice been Amended. The Digest indicates



one Amendment. I've accepted a Second for Representative Hallstrom which we affixed to the Bill a couple of days ago. The Bill was initially worded in such a way as to appear to be a collective bargaining Bill. It was not intended to be. The two Amendments on the Bill, both which emanated from the Republican side of the aisle, which I accepted now provide that school Boards in down state Illinois may enter into contractual agreement at the discretion of the Board, permissively that is, with individuals or groups of employees for any period not to exceed three years. This is exactly the same provision that is already in the law and has been in the law for some four years with regard to the city of Chicago school district in legislation passed thru this House and the Senate by Representative White and former Senator and assessor Tom Hymes. And I would urge an affirmative vote on House Bill 853."

Speaker Lechowicz: "Any discussion? The Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. As this Bill is Amended I think it will clarify the situation which now exists when employees and Board agree to contract for longer than a year. There's been some question in terms of their right to contract for a longer period of time. I can attest to the fact that agreements which are made between employees and school Boards which run for longer than a year to the advantage of not only the teachers but also to the Board and to the community and certainly to the boys and girls because the longer the contract runs the less emotional energy and the less time has to be taken by teachers to deal with that issue and the people who really gain from that are the students. And so I would endorse House Bill 853."

Speaker Lechowicz: "The question is, ' Shall House Bill 853 pass?' All in favor vote 'aye'; all opposed vote 'nay'. The Gentleman from Lake, Mr. Deuster, to explain his vote."



The timer's on." ~~and now we will have a~~

Deuster: "To explain my vote, there's already an authority in the school code to hire teachers. This is obviously just a collective bargaining Bill the way it was when it was introduced. It happens to be a shell Bill. It's a vehicle. It'll come back to us from the Senate with about 30 pages I'm sure, so we'll see it when it comes.. we can evaluate it at that time. But it's unnecessary and I would urge some 'no' votes."

Speaker Lechowicz: "The Gentleman from Coles, Mr. Stuffie, to explain his vote. The timer's on."

Stuffie : "Just to clarify. There's nothing in the law that does this now, unlike what the Representative said and he knows that as well as I do."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 125 'aye', 28 'no', 5 recorded as present. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 950."

Clerk Leone: "House Bill 950 , a Bill for an Act to Amend an Act relating to fire protection in certain areas. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Katz."

Katz: "This Bill is intended to eliminate the situation where a house is allowed to burn down while the fire equipment stands by or where an individual dies because of the fact that they happen to live just outside of the fire protection district. This is a situation that has....."

Speaker Lechowicz: "Please proceed."

Katz: "This is a situation that has occurred several times with catastrophic results. It is made in the Bill applicable to a period of a mile and a half from the area of the fire protection district. The mile and a half is the same area that we apply with regard to giving cities and villages the power to present zoning . The Bill will preclude the



situation that occurred in an unincorporated area in Cook where a woman who was pregnant had lived five blocks from the district and yet the ambulance would not cross into her district and she died a few moments later and the child that she was carrying died immediately thereafter.

It does add a provision that would require the person who . . . . It does require the person who gets that service to pay \$400 for the call so it does not prevent any free loading. The only thing is that it does save lives and I would urge that this Bill which was reported out favorably by the Committee on Cities and Villages should be passed by this General Assembly."

Speaker Lechowicz: "The Gentleman from Champaign, Mr. Wikoff."

Wikoff: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I hate to rise against my distinguished colleague over there but in very few words, this has to be a horrible Bill. The response of this is as you can see, it came out of Cities and Villages on a 8 to 6 recommendation. I don't think anybody is . . . has any compunction about any unit of local government and I served as Mayor for a few years and we had a rather strict rule that we would not go beyond the city limits unless there was a life in danger and if there was we would move anything and everything that was necessary. This law requires anybody that is within a mile and half corporate boundaries to respond to any fire alarm. Think of what this might put your own cities and villages.. what condition it might put them on if they respond to an alarm outside the cities and are not able to respond to their own taxpayers. I must oppose this. There's one other thing that is not distinguished and this becomes very prevalent particularly within the metropolitan area because there could be an unincorporated area within a mile and a half of even three or four cities or villages. There is no distinction as to which one must respond. It says that anyone in there must respond. I think the intent was good but



it goes as many legislative intents do happen. It goes beyond the realm of practicality and I said having served as a Mayor there is no Mayor or no village official is hard hearted enough that is going to refuse to send a piece of fire equipment if there is a life at stake. If the people do not choose by their own use, by their own knowledge to protect themselves through some means or other because it's going to cost them a few dollars and then all of a sudden they cry wolf and when the barns on fire I quite frankly have no sympathy for them. I think this is a bad Bill and should be defeated."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Yourell."

Yourell: " Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of House Bill 950 and as the Sponsor and others indicated this Bill did receive an extensive hearing in Cities and Villages and many of the points in questions that are being brought to bear today were discussed in Committee. And one of the arguments was and continues to be as you just heard on the House Floor by one of the Members in opposition to this Bill indicates that no Mayor, no city or village or town or alderman or trustee will stand by while a life is being endangered and might suffer the loss of that life. Well, it seems to me just beyond understanding how a Department of a city, village or town can determine if that life is threatened unless they make the call. The people are not going to call up and say, 'I think if this fire continues I might lose my life. Will you please send help?' That's not the point. The point is that we're trying to find a safety factor to take care of these situations and although it isn't a perfect way to do it I don't know of any other way to do it and no alternatives have been brought to my attention or the attention of any Member of that City and Villages Committee. No Department knows the extent of a fire, the extent of the damage or the extent of the loss that would



engendered by such a catastrophe and so the safest thing to do I think is to provide the necessary protection by imposing fees and to have that Department, the closest Department, respond to that call of distress and fortunately perhaps no loss of life will suffer. But on many occasions and it's a matter of record that Departments have not responded and as a result of that not responding. In Chicago Ridge just three years ago a mother and three children perished because they were a mile short distance outside of Chicago Ridge and there was no response. And again if there's a better solution to the problem I haven't heard it and I think that our prime consideration and concern relative to this matter is to try to save human lives and if there's a very valuable efficient Department that is close by that Department should respond upon call and then be reimbursed for any expenses attached to that call. And I think, although again, it's not perfect. It's the best solution to the problem that I've seen and I would urge a favorable vote on House Bill 950."

Speaker Lechowicz: "The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Mr. Speaker, Members of the House, there are a lot of areas that have refused to petition into a fire protection district because they didn't want to pay the taxes. Now you give me one good reason why they'd petition in after they get free fire protection under this Bill. Number one, in a city situation the city isn't required to go a mile and a half outside the city to furnish fire protection. Why should the fire protection district be required? IT takes money to run these things and you get it from the taxes out the people in the area. And I can tell you know if you had a mobile home seven miles from the fire base or the fire station by the time you got there it'd be gone anyway and if you tried to collect the \$400. you'd never get it. So this is a nice dream but it just plain won't work and it's working against better fire protection instead



of for it."

Speaker Lechowicz: "The Gentleman from Macoupin, Mr. Hannig."

Hannig: "Mr. Chairman, I move the previous question."

Speaker Lechowicz: "The Gentleman has moved the previous question."

All in favor say 'aye'. 'Aye'. Opposed. The 'ayes' have it. The gentleman from Cook, Mr. Katz, to close."

Katz: "For the reasons stated so ably by the Gentleman from Cook, this Bill is a life saving Bill. It is very well to say that should have done this or they should have done that. But a woman who needs medical attention may never have had the choice of joining the fire protection district. The child that she has in her never had an election as to whether to join. All it says is that if you live in a mile and a half of that area that the response will be made and it is not a free loader response. The person who called in is required to pay \$400 to the fire protection district for having made the call. It is a solution to a problem that has cost us life and property. I would urge the support of House Bill 950 favorably reported by the City and Villages Committee of this House."

Speaker Lechowicz: "The question is, ' Shall House Bill 950 pass?' All in favor vote 'aye'; all opposed vote 'no'. The Gentleman from Cook, Mr. Mahar, to explain his vote. The timer's on."

Mahar: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise reluctantly to oppose this Bill and one of things that wasn't mentioned by the previous Speaker was the question of liability. Now the Bill does allow for the question of a fee for fire service out of the municipality. There's no method by which it can be collected and I'm not too sure that they can force collection but one thing that's very very important is the question of liability. Supposing that in the process there's an injury or a death in which a municipality could be sued. There's just no method of handling this and while it's a very good intent to try



to do something for those people who live outside the community, I don't think it's a workable solution."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 64 'aye', 69 'nay', 8 recorded as present. This Bill having failed to receive the Constitutional Majority is hereby declared lost. House Bill 956."

Clerk Leone: "House Bill 956, a Bill for an Act to Amend the School Code. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Henry, Mr. McGrew. Take it out of the record temporarily. House Bill 1005."

Clerk Leone: "House Bill 1005, a Bill for an Act to Amend Sections of the Park District and Municipal Code. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from DuPage, Mr. Schneider."

Schneider: "Thank you, Mr. Speaker, Members of the House. This Bill simply authorizes the single governmental units to work together in providing a program for the handicapped. It was Amended and eliminated a double taxation provision and therefore I think removed some objection to the legislation. I would solicit an 'aye' vote."

Speaker Lechowicz: "Any discussion? The Gentleman from Wayne, Mr. Robbins. The question is, 'Shall House Bill 1005 pass?' All in favor vote 'aye'; all opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 151 'aye', 4 'nay', none recorded as present. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 1026."

Clerk Leone: "House Bill 1026, a Bill for an Act to provide for the selection of a state animal. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Rock Island, Mr. Darrow."

Darrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What this legislation does is provide that the Illinois Office of Education shall conduct a state-wide



selection in the elementary and high schools of this state to select a state animal. What prompted me to introduce this was discussions with the students of my district who wanted better understanding and experience with state government. . . . allowed them to select the state flower and the state tree, the state bird and other items and they wish to select the state animal. The candidates would be the racoon, the fox, squirrel, the white tailed deer, and the opossum. I've worked on this legislation with Ralph Dunn who insisted we have the opossum here. There are two other animals that will be nominated by Illinois State Museum. The Illinois Office of Education and the Department of Conservation have also worked on this legislation. The Illinois Office of Education indicates that the cost will be minimal and is well within their budget."

Speaker Lechowicz: "What's the IMA's position? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Will the Gentleman yield?"

Speaker Lechowicz: "Indicates he won't."

Darrow: "There's going to be a lot of questions. I'll just yield. Just ask the questions."

Cullerton: "Why is there a limitation as to which animals can be on this list?"

Darrow: "Well the reason was the Department of Conservation . . . the reason being the Department of Conservation felt that if we did not limit it, we would have animals not related to Illinois, for example, a lion or an elephant or something like that. So we tried to limit it to animals that were residents and natives of Illinois. "

Cullerton: "Are those the only animals that are residents of Illinois?"

Darrow: "No, but if there were other suggestions, the Bill was on Second Reading. . . I would have been glad to add them, like I added the opossum for Ralph Dunn."

Cullerton: "Is the coyote involved with this?"



Darrow: "No, the coyote never approached me to be added to the ballot. I never received any petitions for nominations so we just went right by that one."

Speaker Lechowicz: "The Gentleman from Rock Island, Mr. Polk. The Gentleman from DuPage, Mr.."

Polk: "Oh, my question was Clarence, I know this isn't partisan, it wasn't your intant but did you just get through saying the elephant could not be considered , but the jack ass could be?"

Darrow: "Well, I don't know how many asses are native to Illinois, but I know there aren't very many elephants that are natives."

Speaker Lechowicz: " The Gentleman from DuPage, Mr. Daniels."

Daniels: "Some of us would like to know if the shark qualifies for the state animal."

Darrow: "No, the Department of Conservation indicated that the sharks are not native to this part of the country."

Daniels: "Wait a second. We know better than that. There are plenty of sharks around."

Speaker Lechowicz: "The Gentleman from Bond, Mr. Slape."

Slape: "Mr. Speaker, since we're having all the debate over the animals maybe we ought to have a primary elections first and come up with some candidates."

Speaker Lechowicz: "The Gentleman from Rock Island, Mr. Darrow, to close."

Darrow: "Well thank you, Mr. Speaker. Although this we have had some fun with this legislation, we have had in the past The reason for it is to help our students in grade school and high school have a better understanding of the voting procedures and the methods used in state government. I feel for that reason it should receive a favorable vote. Thank you."

Speaker Lechowicz: "The question is, 'Shall House Bill 1026 pass?' All in favor vote 'aye'; all opposed vote 'no'. The Gentleman from Will, Mr. Leinenweber, to explain his



vote. The timer's on."

Leinenweber: "Yeah, I was just going to suggest to Representative Darrow rather than create a new Act it would have been cheaper and probably a lot better if he'd written Superintendent Cronin a letter and told... asked him to do this. I.. for the life of me I can't see why we need to create a new Act which again will expend the four volumes that we currently have of legislation, probably five and six, before this term is over."

Speaker Lechowicz: "The Gentleman from Lake, Mr. Griesheimer, to explain his vote. Timer's on."

Griesheimer: "Mr. Speaker, we were cut off from our questions and these are very important to us in various parts of the state that we originate from. I have been using my 'cb' during my seven terms down here, seven years down here and I'd be most concerned if we did not consider the beaver. Questionably the beaver is one of the classic animals in the State of Illinois and I have never seen a day when we wouldn't give anything for a good beaver. So I'm going to be very careful in casting my vote to make sure that that is included."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Yourell, to explain his vote."

Yourell: " Well, Representative Griesheimer hit it right on the head. One Member told me he was out with a beaver last night who was a real dog."

Speaker Lechowicz: "On that note, have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 133 'aye', 21 'nay', one recorded as present. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 1041."

Clerk O'Brien: "House Bill 1041, a Bill for an Act to Amend Sections of the School Code. Third Reading of the Bill."



Speaker Lechowicz: "The Gentleman from Lake, Mr. Matijevich."

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 1041 provides that tenure teachers who are layed off and have reemployment rights to any subsequently available..."

Speaker Lechowicz: "Sorry, John. That's my fault."

Matijevich: "... to any subsequently available position they are legally qualified to hold within a district if they have maintained an application on file with the local Board of Education. Those qualified, the order of recall shall be based on length of service. During the prior debate on a Bill it was mentioned that the present law extends recall rights for only one year and the present law is very vague and arbitrary and has been responsible for a number of court suits. And this Bill is necessary I believe to clarify the law. As long as proven teachers are available and qualified for their former or equivalent jobs, I believe that the policy of the State of Illinois should be that they should maintain a right to these jobs and I would urge the passage of House Bill 1041."

Speaker Lechowicz: "The Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. There are two Bills in sequence here..."

Speaker Lechowicz: "41 and 42."

Hoffman: "41 and 42 and in 1042..."

Speaker Lechowicz: "We're just with 1041."

Hoffman: "I know. The last point made by the previous Speaker deals with 1042 in my judgement. Let me just say that 1041 does basically the same thing that I claimed on the Bill Sponsored earlier this afternoon by Representative Mautino because it requires that if a person is qualified which means that he is certified, regardless of whether they ever taught the grade level, is to be recalled on the basis of seniority or on the basis of length of service. Again I emphasize that the key to this is that a person



has length of service in the particular grade level or the particular subject matter and has experience in that area. If this Bill were to be worded to say that the order of recall should be based on length on service in the position that is open, that's a completely different thing. But it does not say that. It says they must be recalled on the basis of length of service. The argument that I made previously on the Bill by Representative Mautino on the basis of placement should apply the same way on the basis of recall and for that reason I must oppose this Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Birkinbine."

Birkinbine: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Tenure was originally put into being to protect academic freedom. It was not to instill into their job teachers who simply are able to hang on the longest. What you're ignoring if you vote for something like this is the welfare of the student. Anytime we have to cut back on teachers those teachers that have retained should be the best teachers, not necessarily those who have been there the longest. The only reason we have schools is to educate our children. Theoretically we would all like to have them educated as well as possible. We don't do that by simply holding onto those people who have been able to maintain their status in the schools as long as possible. If indeed a teacher who has been there five years is better qualified and a better instructor than somebody who's been there eight years, the teacher's been there five years should be retained. Why? Because the students benefit and that is why we have schools. If you vote for this, you're getting a plug for the Teachers' Union but you're not doing anything. Indeed, you're turning your backs on the welfare of students."

Speaker Lechowicz: "The Gentleman from Lake, Mr. Matijevich to close."



Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, I've sat back and I've listened to some of this debate about teachers and the teachers' rights. And I want to tell you that all of you have missed one point. I've had two sisters that just retired and their total length of service, I believe, was around 80 years totally. And one thing that you forget, and that is that the reason, the reason that the Boards of Education want to get rid of teachers is money. That's the reason. That's why we have to put this protection in the law. Someone early on the collective bargaining legislation said, 'If we have collected bargaining, then we don't need these Bills.' I agree with that. But we don't have collective bargaining. And it appears that we're not going to have collective bargaining. We live in the real world, that's why we need this legislation. We have to write in those protections. It amazes me that many of the arguments that I hear on this type of Bill are those who are the traditionalists, those who argue on the Floor of the House, 'Let's go back to reading and writing and arithmetic. Let's go back to the days when the teachers who believe in that system of education.. we've got to go back to that.' They're the ones that are voting against this type of a legislation. I can't believe it. I believe that you have to have this protection because I know what will happen. The Boards of Education .. do you ever see them firing the administrators? No. They're not firing administrators; they want to protect the administrators. They want that money for administrators. They want the young teachers for only one reason..money. But we've got to write that protection in the law. And House Bill 1041 is that protection and it should be the policy of the State of Illinois and I urge the passage of it."

Speaker Lechowicz: "The question is, 'Shall the House pass 1041?' All in favor vote 'aye'; all opposed vote 'nay'.



Eh, John want to come here please? Johnny? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Gentleman from Whiteside, Mr. Schuneman, to explain his vote. The timer's on."

Schuneman: "Thank you, Mr. Speaker. By way of explanation of my vote I simply want to say that there are a whole lot of administrators running around the State of Illinois who have been fired recently and to charge that such is not the case is simply not fact."

Speaker Lechowicz: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 104 'aye', 54 'nay', 4 recorded as present. What purpose does the Gentleman from Lake, Mr. Deuster, arise?"

Deuster: "Mr. Speaker, I request a verification of this vote."

Speaker Lechowicz: "It's too late. The Bill is passed. Mr. Deuster was your light on before? Mr. Deuster please."

Deuster: "I guess you have an elbow problem too and that's.. cause you're..."

Speaker Lechowicz: "No, I'm afraid I don't have an elbow problem, Sir."

Deuster: "My light was on and..."

Speaker Lechowicz: "... specifically for that reason."

Deuster: "Yes, Sir. Yes it was. Walsh can attest to that."

Speaker Lechowicz: "Ok. Order of Verification. Clerk will poll the absentees."

Clerk O'Brien: "Bianco. Borchers. Bowman. Braun. Capuzi. Davis. Gaines. Kozubowski. Kucharski. Margulas."

Speaker Lechowicz: "Excuse me. The Gentleman from Madison, Mr. Sharp. Kindly record Mr. Sharp from 'no' to 'aye'. That's 105. Mr. Marovitz, what purpose do you seek recognition?"

Marovitz: "Please change my vote from 'aye' to present."

Speaker Lechowicz: "Kindly record Mr. Marovitz from 'aye' to



present. Mr. Jones, what purpose do you seek recognition?"

Jones: "change me from 'aye' to present."

Speaker Lechowicz: "Kindly record Mr. Jones from 'aye' to present. Mr. Ewell, present. Wait. Mr. Ray Ewell to present. Ok. Now would you please continue to poll the absentees Sir? Mr. Walsh, you want to be recognized? Your light's on."

Clerk O'Brien: "Margulas. Meyer. Peters. Reed. Stearney. and Winchester."

Speaker Lechowicz: "The Lady from Cook, Mrs. Alexander."

Alexander: "Change my 'aye' to present please."

Speaker Lechowicz: "Kindly record the Lady as present. What are we starting off with Jack? We're starting off with 101 'aye'. Please, would the Ladies and Gentlemen kindly be in their own respective seats? Will all unauthorized personnel remove themselves from the Floor? Proceed to verify the affirmative vote."

Clerk O'Brien: "Abramson. Balanoff. Jane Barnes. Beatty. Bell. Birchler. Bower. Bradley. Preston. Breslin. Brummer. Bullock. Capparelli. Catania. Christensen. Currie. Daniels. Darrow. Dawson. DiPrima. Domico. Donovan. Doyle. John Dunn. Epton. Farley. Flinn. Virginia Fredrick. Dwight Friedrich. Garmisa. Getty. Giorgi. Goodwin. Greiman. Grossi. Hallock. Hanahan. Harris. Huff. Jaffe. Johnson. Dave Jones. Keane. Kelly. Kempiners. Kornowicz. Kosinski. Laurino. Lechowicz. Leon. Leverenz. Madigan. Matijevich. Mautino. McAuliffe. McBroom. McClain. McGrew. Molloy. Mugalian. Mulcahey. Murphy. Kulas. Oblinger. O'Brien. Patrick. Pechous. Pierce. Polk. Pouncey. Rea. Reilly. Richmond. Ronan. Sandquist. Satterthwaite. Schlisler. Schnieder. Sharp. Henry. Skinner. Slape. Stanley. Steczo. C.M. Stiehl. Stuffle. Swanstrom. Taylor. Terzich. Van Dyune. Vinson. Vitek. Von Boeckman. Watson.



White, Willer, Sam Wolf, Younge, Yourell, Mr. Speaker."

Speaker Lechowicz: "Any questions of the 101 Affirmative votes?

They're all here? Don. Mr. Deuster."

Deuster: "Mr. Abramson please."

Speaker Lechowicz: "Mr. Abramson, the Gentleman in the chamber?

Mr. Abramson. How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Lechowicz: "Take him off the record. "

Deuster: "Beatty?"

Speaker Lechowicz: "Who was that?"

Deuster: "Beatty. B-e-a-t-t-y. Beatty."

Speaker Lechowicz: "Beatty. Mr. Beatty. The Gentleman in the chamber? Beatty? How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Lechowicz: "Take him off the record."

Deuster: "Breslin."

Speaker Lechowicz: "Mrs. Breslin? Mrs. Breslin. The Lady in the chamber? How is the Lady recorded?"

Clerk O'Brien: "The Lady is recorded as voting 'aye'."

Speaker Lechowicz: "Take her off the record. Would you kindly

.... Mr. Deuster? Mr. Madigan requests to be verified."

Deuster: "Happy to."

Speaker Lechowicz: "Thank you. Anyone else Mr. Deuster?"

Deuster: "Is Brummer... did I see Brummer?"

Speaker Lechowicz: "Brummer's standing right there."

Deuster: "Yes. Capparelli."

Speaker Lechowicz: "Capparelli. Mr. Capparelli in the chamber?"

He'll be here momentarily I'm sure."

Deuster: "Well, if he's not..."

Speaker Lechowicz: "How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Lechowicz: "Remove Mr. Capparelli off the Roll Call."

Deuster: "Christensen."

Speaker Lechowicz: "Christensen. He should be here. Mr. Christensen

How is the Gentleman recorded?"



Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Lechowicz: "Take him off the record."

Deuster: "Dawson."

Speaker Lechowicz: "Excuse me. Would you kindly... Mr. McBroom asks leave to be recorded."

Deuster: "Fine."

Speaker Lechowicz: "Thank you. Dawson's right there in the back giving a fond embrace to Ms. Penny Pullen."

Deuster: "Domico."

Speaker Lechowicz: "Domico is always here."

Deuster: "Ok. Doyle."

Speaker Lechowicz: "Doyle? He should be here. Mr. Doyle? Mr. Doyle? How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Lechowicz: "Take him off the record."

Deuster: "Flinn."

Speaker Lechowicz: "Flinn."

Deuster: "Flinn."

Speaker Lechowicz: "Mr. Flinn. Monroe.. Monroe Flinn from St. Louis. Sinclair, close enough. How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Lechowicz: "Take him off the record."

Deuster: "Garmisa."

Speaker Lechowicz: "Garmisa's right here."

Deuster: "Oh, yes. Greiman."

Speaker Lechowicz: "Greiman? He's right here."

Deuster: "Hanahan."

Speaker Lechowicz: "Hanahan's in his chair."

Deuster: "Huff."

Speaker Lechowicz: "Huff's in his chair."

Deuster: "Jaffe."

Speaker Lechowicz: "Jaffe?"

Deuster: "There he is."

Speaker Lechowicz: "Here he is."



Deuster: "Alright. Laurino."

Speaker Lechowicz: "Laurino's in his chair."

Deuster: "And Leon."

Speaker Lechowicz: "Excuse me. Can I put Mr. Doyle back on?"

And Mr. Leone's in his chair as always."

Deuster: "Leverenz."

Speaker Lechowicz: "Leverenz?"

Deuster: "Leverenz."

Speaker Lechowicz: "He's right here."

Deuster: "Ok. Madigan, we've verified him. Marovitz. Oh, ok."

Speaker Lechowicz: "I'm sorry who is it?"

Deuster: "Ok."

Speaker Lechowicz: "How is he recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting present."

Speaker Lechowicz: "Another mistake."

Deuster: "Mautino. I think I... do I see him?"

Speaker Lechowicz: "Mautino? He's right in his chair as always."

Deuster: "McAuliffe."

Speaker Lechowicz: "Excuse me. Would you put Mr. Capparelli  
back on the Roll Call? He's right here. Who? And  
Ralph Dunn wants to be recorded as 'aye'. Who'd you  
ask for?"

Deuster: "McAuliffe."

Speaker Lechowicz: "McAuliffe? How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Lechowicz: "Kindly remove him. Mr. Kucharski, for  
what purpose do you seek recognition? Kucharski?"

Kucharski: "Record me as 'aye'."

Speaker Lechowicz: "Record Mr. Kucharski as 'aye'."

Deuster: "McGrew."

Speaker Lechowicz: "McGrew is in his chair."

Deuster: "McClain."

Speaker Lechowicz: "McClain. McClain, he's right back there  
on the Republican side."

Deuster: "Mugalian."



Speaker Lechowicz: "He was here."

Deuster: "Skip him. Murphy."

Speaker Lechowicz: "Laz Murphy is always in his chair."

Deuster: "Nardulli."

Speaker Lechowicz: "Nardulli unfortunately resigned and..."

Deuster: "Yes..."

Speaker Lechowicz: "He's been ably replaced by Mr. Kulas who is there."

Deuster: "Take him off for good measure." Rea."

Speaker Lechowicz: "Nardulli is off the record. But Mr. Kulas is on."

Deuster: "Rea."

Speaker Lechowicz: "Which Ray"

Deuster " There he is. Ok. Schlisler."

Speaker Lechowicz: "Jimmy Rea's always there."

Deuster: "Schlisler"

Speaker Lechowicz: " He was just here. How is the Gentleman recorded? Mr. Schlisler."

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Lechowicz: "Take him off the record. Mr. Huff, what purpose do you seek recognition?"

Huff: "well Mr. Speaker it seems that this verification is somewhat dilatory and he's going in alphabetical order."

Speaker Lechowicz: "Would you also.... your point is well taken. But would you put Mr. Christensen back on?"

Deuster: "Well I'd be glad to start at the other end of the alphabet if..."

Speaker Lechowicz: "Mr. Winchester for what purpose do you seek recognition? He wants to be recorded as 'aye', Bob Winchester from the 59th District."

Deuster: "Yourell."

Speaker Lechowicz: "Who?"

Deuster: "Yourell."

Speaker Lechowicz: "Yourell? He's standing right here."

Deuster : "Ok. Von Boeckman."



Speaker Lechwicz: "He's in his chair."

Deuster: "Terzich."

Speaker Lechwicz: "He's in his chair."

Deuster: "Alright. Sharp."

Speaker Lechowicz: "Who?.."

Deuster: "Oh, I'm sorry..."

Speaker Lechowicz: "Mr. Hannig, what purpose do you seek recognition?"

Hannig: "Mr. Speaker, I would like to be recorded as 'aye'."

Speaker Lechowicz: "Kindly record Mr. Hannig as 'aye'. Mr. Marovitz, what purpose do you seek recognition?"

Marovitz: "Record.. I'd like to be recorded as 'aye'."

Speaker Lechowicz: "Kindly record Mr. Marovitz as 'aye'. Are you completed Mr. Deuster?"

Deuster: "Did I ask about Currie?"

Speaker Lechowicz: "She's in her chair. Any other ....?"

Deuster: "No further questions."

Speaker Lechowicz: "What's the count Mr. Clerk? On this question there are 100 'aye', 51 'nay', House Bill 1041 receiving the Constitutional Majority is hereby declared passed. House Bill 1042."

Clerk O'Brien: "House Bill 1052, 1042, a Bill for an Act to Amend Sections of the School Code. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Lake, Mr. Matijevich. Mr. Matijevich, Sir."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 1042 is similar but different than the last Bill that we just passed. The present law providing recall rights for one calendar year is unclear as to the beginning and the ending points. And it has been the subject of much litigation as I said in discussing the prior Bill. Under this Bill the.. it clarifies that the reemployment rights of tenure teachers for laid off that they shall be tendered any position he's legally qualified



to hold that becomes available within one calendar year from the beginning of the school term following his dismissal. In other words, that clarifies as to when that beginning point is and this would clarify it so we wouldn't be involved in so much of this litigation. I urge the passage of House Bill 1042."

Speaker Lechowicz: "Any discussion? The question is, 'Shall House Bill 1042 pass?' All in favor vote 'aye'; all opposed vote 'nay'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 124 'aye', 23 'aye', 26 'no', one recorded as present. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 956. I passed it by mistake."

Clerk O'Brien: "House Bill 956, a Bill for an Act to Amend Sections of the School Code. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Henry, Mr. McGrew."

McGrew: "Thank you very much, Mr. Speaker; House Bill 956 Amends the School Code to provide that assistant principal may be designated as an acting principal. There was a court case in Chicago that went into this problem quite some time. They had the problem there, they were providing that assistant principal would take over the administration for an unlimited period of time. The court said that it would only be ten days. I'm stepping in the middle and making it a compromise at five months and I would ask for an 'aye' vote."

Speaker Lechowicz: "Any discussion? The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Well, Mr. Speaker, if you forgive me. I want to interrupt just long enough to make an introduction. One of the Ladies in the gallery is Mary Claire Brost, who is responsible for recording equipment around here. She does an excellent job, but I want to remind you that



with her equipment and her staff they record very accurately all the pearls of wisdom that flow from this Floor, including some like were expressed on 1026. So when you read the record those remarks will be in there."

Speaker Lechowicz: "The Gentleman from Will, Mr. Leinenweber."

Leinenweber: "Yeah, I have a question for the Sponsor."

Speaker Lechowicz: "Indicates he'll yield."

Leinenweber: "Representative McGrew, what's the difference between a principal and assistant principal?"

Speaker Lechowicz: "Mr. McGrew. Mr. McGrew please."

McGrew: " Thank you. Without trying to be facetious Sir, it's the title."

Speaker Lechowicz: "How about the money?"

Leinenweber: "Couldn't the school districts solve the problem by calling the assistant principal who they assign a principal?"

McGrew : "They certainly could, Sir, but they were not and the court case said that they had to appoint him as the permanent principal within 10 days. I think that's an extremely limited type of situation so much so that we may lose a great deal of continuity in the schools. So what I've done is tried to compromise as I said earlier , step in the middle and make it five months."

Leinenweber: "I don't want to quarrel with the concept. I just wonder isn't it just a big semantic problem."

McGrew : "It's perhaps a semantics problem but it's also in terms of the salary schedules and that was frankly the big difference, the school Board was saying that we would leave them as an acting principal until...."

Lienenweber: "Ok. I think I got the picture. Thank you."

McGrew: "Ok."

Speaker Lechowicz: "The question is, 'Shall House Bill 956 pass?'

All in favor vote 'aye'; all opposed vote 'nay'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there's 160 'aye', 4



'nay', none recorded as present. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 1138."

Clerk O'Brien: "House Bill 1138, a Bill for an Act in relation to principle and income of the appointment and receipts in the expense of all cases where the principal is established and repeal an Act named herein. Third Reading of the Bill."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Getty."

Getty: "Mr. Speaker, Members of the House, House Bill 1138 is..."

Speaker Lechowicz: "Point of order Sir? What's your point?"

Johnson: "As I read the Digest the Chief Sponsor of this and the other.. the only two Sponsors, Representative Beatty and Beatty and Brady. I'm wondering why Representative Getty is handling the Bill?"

Speaker Lechowicz: "Mr. Bradley? Can you respond to that?"

Bradley: "Well I think you'll file...or you'll find Mr. Speaker that I filed a motion to.. and Mr. Getty signed the motion that I would be a hyphenated Sponsor of the Bill and I'd like to move the Bill then."

Speaker Lechowicz: "Fine. The Gentleman from McClain, Mr. Bradley."

Bradley: "Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, what the Bill does really is replace the present Illinois Principle and Income Act. It's a rather technical Bill. Basically it sets guidelines defines interest. The ... Chicago Buyer Association Trust Law Committee after some length of time, approximately a six year period, they worked long and hard in trying to bring about some revisions to the 1962 revised uniform Act and they are of course the Illinois State Buyer Association and the Chicago Buyer Association are supporting the changes. It's a rather technical Bill but what it really does is make some changes in definition and I move the adoption and ask for support of the House on the legislation.



Speaker Lechowicz: "Any discussion? The Gentleman from Champaign, Mr. Johnson."

Johnson: "I'm just concerned Representative Bradley, that we're going to do here what we've done with the Marriage and Dissolution of Marriage Act last time and that is to completely repeal a Section out of the Statutes, enact a new 8,10,14 page statute and nobody's going to know what's in it. I don't necessarily oppose it. It went through financial institution which I'm not a Member of, but it certainly is a matter that affects everybody who deals in any area of a law practice that .. when you deal with the states and trust. Can you tell me where the.. what are the primary differences between the existing Principle and Income Act of 1941 and this new Act, aside from the fact that the Bar Association is for it?"

Bradley: "Well there's a number of changes. I'd be glad to read what they do. They set out when the right to income arises in nonapportionment of income provisions established provisions for administration of ..... estate, ..."

Johnson: "Wait. Wait. Wait. Let's take them one at a time. I want to know first of all what the existing Act does and how this changes it. The existing Act also defines income and principle and so forth doesn't it?"

Bradley: "The existing Act does, yes."

Johnson: "Well how does this one differ and why is this one better?"

Bradley: "We.. we feel that the definitions are clearer in the Bill that you have before you. It was rather vague in some areas as to what was defined as principle, what might be defined as interest, what in cases of bonds or that would be in an estate... bonds that would be maturing as defining as to when they would be.. whether they would be principle or whether they would be interest and what I after reading the Bill today, this afternoon, and the analysis that it seems to me to clear up some matters that



are rather vague now in the present legislation." Johnson: "My question is, 'Where is the existing law vague with respect to definition of income and where is it vague...?'"

Speaker Lechowicz: "Let me interject if I may. It's 10 to 8:00, I'd like to have... I've got some other matters to take care of. Why don't we take this Bill out of the record at this time?"

Johnson: "Mr. Speaker..."

Speaker Lechowicz: "We'll try to get back to it tomorrow."

Johnson: "I just want to.. I just want to let the Sponsor...Ok. Take it out of the record."

Speaker Lechowicz: "Alright. Everybody read the Bill over tonight and we'll have a fresh start on it tomorrow. Ok. On page 44 of the Consent Calendar, Third Reading. Clerk read the Bill."

Clerk O'Brien: "House Bill 753, a Bill for an Act to Amend the Election Code. Third Reading of the Bill. House Bill 756, a Bill for an Act to Amend the Election Code. Third Reading of the Bill. House Bill 1196, a Bill for an Act to Amend the Illinois Administrative Procedure Act. Third Reading of the Bill. House Bill 1516, a Bill for an Act to Amend the School Code. Third Reading of the Bill. House Bill 1708, a Bill for an Act to Amend the School Code. Third Reading of the Bill. House Bill 1947, a Bill for an Act to Amend the Motor Fuel Tax Law. Third Reading of the Bill. House Bill 1377, a Bill for an Act to Amend the Retailers Occupation Tax Act. Third Reading of the Bill. House Bill 2472, a Bill for an Act to Amend the Election Code. Third Reading of the Bill. House Bill 2540, a Bill for an Act to Amend the Election Code. Third Reading of the Bill. House Bill 2632, a Bill for an Act to Amend the Illinois Public Aid Code. Third Reading of the Bill. House Bill 2777, a Bill for an Act to revise various corrections and errors in cross references to previous or obsolete or duplicative. Third Reading of the Bill



Speaker Lechowicz: "Consent Calendar, Third Reading. The question is, 'Shall these Bills pass?' All in favor vote 'aye'; all opposed vote 'no'. Marco.. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 128 'aye', no 'nay', 26 recorded as present. These Bills having received the Constitutional Majority are hereby declared passed. You got a motion, Jack? The Gentleman from Cook, Mr. Birkinbine. You have a motion filed with the Clerk? Clerk will read the motion." Who? I'm sorry. The Clerk informs me that Mr. Hallock. On House Bill 1400, you have a motion, Sir, that was filed with the Clerk? Clerk, read the motion."

Hallock: "Mr. Speaker?"

Speaker Lechowicz: "Yes, Sir."

Hallock: "Mr. Speaker and Ladies and Gentlemen of the House, could you first read the motion?"

Speaker Lechowicz: "You want a .. to state your motion, Sir?"

Hallock: "Well, I have a motion which would move that the Amendment to House Bill 1400 only be printed only to the extent of the first 29 pages for the purpose of Second Reading only and for Third we'll print the entire Amendment.. the Bill as Amended."

Speaker Lechowicz: "Would you explain to the Membership why? I believe the 29 pages are... the first 29 are ones that changed. Is that correct?"

Hallock: "Right... This Amendment is 593 pages and only the first 29 pages are the salient changes in the Bill. The rest 500... 500 additional pages merely change in the Bill certain titles in the Chapter in the Chapter 127 ecetera. And I would propose that therefore we adopt and Amend the.. and use only the first 29 pages and I'd ask your support and leave to print only the first 29 pages. I've discussed this by the way with the Minority Spokesman on the State Government Organization Committee as well as with the Chairman of that Committee, Representative Kane,



and he supports the motion."

Speaker Lechowicz: "May I also point out to the Membership that the Bill will be reprinted for Third Reading."

Hallock: "House Bill 1400 is a Bill which would establish on the state level a Department of Commerce. Amendment #1 to that Bill incorporates the compromise in negotiation. We've worked on it for the last couple of weeks. But rather than discuss the merits and the demerits of the Amendment, what I would like to do, as I said before, is print only the first 29 pages which in fact would incorporate the changes we've discussed."

Speaker Lechowicz: "Ok. The question is, 'Shall the House suspend Rule 34, the printing requirements for Amendment #1 to House Bill 1400 for Second Reading only?' All in favor vote 'aye'; all opposed vote 'nay'. Marco, 'aye'. Yeah. Have all voted who wish? The Bill will be totally reprinted for Third Reading. Clerk will take the record. On this question there are 145 'aye', no 'nay', none recorded as present and the motion prevails. Any announcements? Any announcements? Would the Body kindly arise? We have a Death Resolution for a Member's Dad."

Clerk O'Brien: "House Resolution 301: WHEREAS, the House of Representatives has learned of the passing of Anton Kulas, the father of Representative Myron, Kulas, on May 4th, 1979; and  
 WHEREAS, Anton Kulas was born on December 31, 1904 in Jaroslaw, Ukraine and was a carpenter by trade who specialized in building churches; and  
 WHEREAS, Anton Kulas was forced to leave his native land during World War II by the German military who placed him in a labor camp; and  
 WHEREAS, After World War II he emigrated to the United States in 1949 and to Chicago in 1950, where he became a United States citizen; and  
 WHEREAS, He worked diligently to rear his children to be



good citizens of the United States with an awareness of their ethnic heritage; and

WHEREAS, He was always active in the Ukrainian community, in civic and religious organizations, and was one of the founding fathers of the Sts. Volodymyre and 'Olha' Parish in Chicago; and

WHEREAS, Anton Kulas is survived by his beloved wife Anna, four sons; Oscar, Julian, Jerry, and Myron; a daughter, Savera; eleven grandchildren and a host of relatives and friends; and

WHEREAS, this fine and honorable man has departed this life as the age of 74 years, his name will survive for the public good through the seeds he sowed, and through his beautiful family; therefore be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we express our deepest sympathy to the family and friends of the late Anton Kulas; and be it further

RESOLVED, That a suitable copy of this Preamble and Resolution be presented to the family of Anton Kulas."

Speaker Lechowicz: "The Gentleman from Cook, Mr. Madigan."

Madigan: "Mr. Speaker on behalf of the Democratic Members of the House and I'm sure the Republican Members of the House, I wish to express our personal condolences and sympathy to our fellow Member, Myron Kulas, and to all the Members of his family. I did not enjoy the privilege of knowing Mr. Kulas, but I'm sure that he was much in character like his son Myron and that will be a living tribute to the Kulas family. I move for the adoption of the Resolution."

Speaker Lechowicz: "The Gentleman has moved for the adoption of Death Resolution and asked leave to have all the Membership as a Cosponsor. All in favor signify by saying 'aye'. All opposed. The Resolution is adopted. Any announcements? The Speaker asked me to inform the Membership that it is



his intent that we will return in the morning. We will... we consider Bills from Third Reading back to Second for the purpose of Amendment. There are a couple of controversial Amendments that are going to be considered and he would ask that the entire Membership be here promptly at 9:30. The Gentleman from Cook, Mr. Madigan, on the adjournment... on the motion..."

Madigan: "Mr. Speaker, providing five minutes for a perfunctory session, I move that we adjourn to 9:30 a.m. tomorrow morning. "

Speaker Lechowicz: "The Gentleman has moved that the House stand adjourned until 9:30. All in favor signify by saying 'aye'. 'Aye'. House stands adjourned until 9:30 tomorrow morning, providing five minutes for the Clerk."

Clerk O'Brien: "Messages from the Senate. Message from the Senate by Mr. Wright, Secretary, Mr. Speaker I'm directed to inform the House of Representatives the Senate has passed Bills the following title, the passage which I'm instructed to ask concurrence of the House of Representatives to wit; Senate Bills #582, 944, 946, 1266, 499, oh excuse me... 494 that is, 496, 502, 504, 505, 506, 507, 511, 514, 517, 518, 533, 543, 547, 550, 553, 554, 557, 558, 560, 562, 563, 566, 567, 568, 574, 618, 622, 635, 642, 651, 653, 658, 666, 670, 673, 674, 675, 676, 681, 685, 688, 692, 695, 696, 701, 718, 719, 722, 725, 729, 732, 733, 735, 736, 737, 739, 753, 754, 756. Passed by the Senate, May 17, 1979, Kenneth Wright, Secretary... Committee reports... Representative Kane-Mugalian, Co-chairmen on the Committee on State Government and Organization to which the following Executive Order was referred, action taken May 16, 1979, record the same back with following recommendations; do approve Executive Order #3... Introduction and First Reading.... House Bill 2783. Currie, a Bill for an Act to Amend Sections of the Revenue Act. First Reading of the Bill... Senate Bills, First Reading.



Senate Bill 368, Catania, a Bill for an Act to Amend Sections of an Act to Amend... a Bill to provide for the ordinary and contingent expense of the Department of Public Health. First Reading of the Bill. Senate Bill 369, Preston, a Bill for an Act to Amend the School Code. First Reading of the Bill. Senate Bill 402, Donovan, a Bill for an Act to Amend Sections of the Park District Code. First Reading of the Bill. Senate Bill 426, Wikoff, a Bill for an Act to Amend the Vehicle Code. First Reading of the Bill. Senate Bill 455, Hoxsey, a Bill for an Act to Amend Sections of the Surface Mine Land Conservation and Reclamation Act. First Reading of the Bill. No further business. The House now stands adjourned....



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